

ARCHBALD HAS STATEMENT

Attorney for Jurist Presents Defense in the Case.

SETS OUT POSITION IN DETAIL

Urges that at No Time Was Anything Done Tending Toward the Commission of a Criminal Offense or Even Corruption.

WASHINGTON, July 10.—Counsel for Judge Robert Archbald of the commerce court, against whom charges of impeachment have been issued in the house, stated today that in his opinion judgment in the Archbald case should be suspended until the accused jurist had an opportunity to present his defense to the senate, when court will try the charges against him.

Consideration of the Archbald impeachment resolution in the house will be resumed Thursday. The statement made public by his counsel, the first public reply from the jurist and indicating the tenor of his defense in the expected trial, is as follows:

"Judge Archbald's counsel states that he emphatically denies that in any of the transactions referred to in the report of the judiciary committee, or which are embraced in the articles of impeachment, which the committee has submitted to the house, he used or attempted to use his influence as a judge improperly.

"Conscious of his own integrity, it never occurred to him in any of the transactions referred to that others might suspect that he was acting otherwise than uprightly.

"When the original charges against him were presented to the president and the attorney general he was given no notice and had no hearing. In the proceedings before the house judiciary committee he was permitted to cross-examine witnesses, but it was explicitly stated by the chairman that the proceeding was a hearing and not a trial. In the hearings before the committee the principal charge which had led the president and the attorney general to take action were shown to be unfounded. When the evidence was closed what charges the committee might make could not be known to Judge Archbald or his counsel until they were presented to the house.

"Judge Archbald therefore will have no opportunity to present his defense until he is summoned before the senate, and until he has had a hearing there he asks that public opinion in his case may be suspended."

The statement took up in detail the principal charges upon which the judiciary committee hearings were held, giving these as follows:

"First—That in a suit brought by John W. Pearle against the Marion Coal company, in which the Bolands were largely interested, Judge Archbald had overruled a demurrer to the complaint filed by the counsel for the Marion Coal company because the Bolands had refused to discount a certain note which Judge Archbald endorsed.

"Second—That in the same suit Judge Archbald, at the instigation of the Lackawanna railroad officials, ordered the Marion Coal company to close its testimony in thirty days.

"Third—That after Judge Archbald had become a member of the commerce court he, at the request of an official of the Lackawanna Railroad company, induced District Judge Witmer, before whom the case of Pearle against the Marion Coal company was then pending, to decide that case in favor of Pearle.

"Fourth—That through Judge Archbald Mr. Seager, one of the counsel of the Lackawanna Railroad company, was given advance information that the Pearle case would be decided against the Marion Coal company.

"These charges, except the third, related to Judge Archbald's official acts. By the evidence before the judiciary committee of the house every one of these charges was so completely disproved that no reference is made to any one of them in the report of the committee or in the articles of impeachment.

"The committee, however, has recommended the impeachment of Judge Archbald on thirteen other charges, only two of which relate to the performance by him of any judicial act, and in neither of the two excepted cases is it charged that he acted corruptly.

"The principal charge by the committee relates to Judge Archbald's connection with the attempted purchase of the Hillside Coal and Iron company (a subsidiary of the Erie Railroad company), of its interest in the Katydid claim. That Judge Archbald was interested in the proposed purchase is not denied. It is not claimed by the committee, and we assume it will not be claimed by any one, that the mere fact that a federal judge is interested in the attempted purchase of property from one who is or may be a litigant in his court is a criminal offense, or is even in itself evidence of a corrupt mind.

"In its report the sole ground upon which the committee relies in reaching its conclusion that in this particular case Judge Archbald acted corruptly, is the evidence as to the value of the Katydid claim. It is said that the interest of the Hillside in the dump was worth a great deal more than Judge Archbald and his associates were to pay for it.

The statement then quoted the testimony of Captain May, manager of the Erie railroad coal properties, and that of other witnesses, to show that Judge Archbald's profit in the Katydid claim had been able to sell it would have been comparatively small, about \$4,000; and that a portion of this would have belonged to Williams, his partner in the deal. The statement continued:

"Only two other claim bank transactions are referred to by the committee. One of them had no connection whatever with any railroad company. As to the other there is no evidence of favors asked or favors given and no evidence that the transaction, if it had been carried through, would have been profitable. One of these also with regard to the proposed transaction in coal properties of the Lehigh company, the case against Judge Archbald rests on the naked proposition that it is an impeachable misdemeanor for a federal judge to have business transactions with litigants or possible litigants.

"In another article of impeachment, it is charged that Judge Archbald, for a consideration, used his influence to bring about a settlement of litigation which the Bolands, in various forms, were engaged in with the Lackawanna railway company.

"It is not claimed in the report of the committee that there was any direct evidence tending to prove that for what he did in attempting to bring about this settlement Judge Archbald was to receive compensation, or was to be benefited in any way. The committee simply deems it to be incredible that Judge Archbald would help a friend to settle a litigation or help a lawyer

to earn a fee unless he was paid for it.

"Mr. Watson testified positively before the committee that Judge Archbald was not to receive any part of the compensation which was to come to him, (Watson).

"Judge Archbald's participation in the attempted settlement of this litigation was in fact due to long friendship for the Bolands and friendship for and a desire to help Mr. Watson, and there is no foundation for the charge that he was to receive any money or anything else of value.

Note for Discount.

"Another article of impeachment is based upon the charge that Judge Archbald had 'consented' to a note referred to and it was presented to the Bolands for discount at a time when they were in litigation to his court. The note was offered for discount. Judge Archbald had had no connection with the case of Peale against the Marian Coal company, except in overruling a demurrer which had been filed by that company to the complainants in appointing an examiner to take the testimony. There was nothing in the evidence to justify the inference that Judge Archbald authorized the note to be presented to the Bolands for discount because they were interested as stockholders in the Marian Coal company.

"Judge Archbald's position was that of an accommodation endorsement. The instrument which Judge Archbald received, or was to receive, the proceeds of this note, or any part of such proceeds, is not justified by any of the evidence or is it true in fact.

"In discussing the charge relative to the correspondence by Judge Archbald with the attorney of the Louisville & Nashville Railroad company, the committee report entirely ignores the fact that the letters were pasted in the records (evidently by Judge Archbald) for all the world to see, and Judge Archbald assumes that the testimony was correct as it originally stood.

"New charges appear in the articles of impeachment which were not developed by the testimony before the committee. For example, it is made ground for impeachment that Judge Archbald took a trip to Europe at the expense of Henry W. Cannon, who had large corporate connections. The committee says it is claimed that Mr. Cannon is a distant relative of Judge Archbald's wife.

"The slightest investigation would have shown that, in fact, Mr. Cannon is Mrs. Archbald's first cousin and that the object of the trip was making a visit at Mr. Cannon's request to visit his residence in Florence, Italy."

DISTRICT COURT IN SESSION AT MADISON

MADISON, Neb., July 9.—(Special.)—District court convened in equity session here yesterday afternoon and this forenoon, Judge Welch presiding. The following cases received attention:

Edward Johnson against Ernest J. Form; partition; referee's report confirmed; first order, proceeds to be distributed, first in payment of costs including \$50 for referee fees and balance \$100 for plaintiff's attorney, exchange as per shares found, the plaintiff share not to be paid over to him until written consent therefor by his wife has been filed in court.

Sena Ostergard against Chris Norker and Mayme Henderson and F. H. Taylor, registrar of deeds; to set aside deed and enjoin registrar from recording deed. Defendant F. H. Taylor given leave to file answer instanter.

Lillian Starube, divorce; decree of divorce as prayed; custody of seven children to plaintiff and judgment against defendant for \$15 per month commencing January 10, 1912.

Anna E. Haase against Henry F. Haase, divorce and injunction; decree of divorce as prayed; judgment against defendant for costs.

Rebecca Grosscup against Erwin Grosscup, divorce; defendant defaulted; decree of divorce for plaintiff as prayed.

Jennie E. Hallitt against James W. Ransom, damage for difference in purchase price of land sale; motion of defendant for new trial overruled; defendant excepts, motion of plaintiff for judgment for \$1,901.00 on verdict sustained; defendant excepts and given forty days to file bill exceptions.

William Kamrath et al. against Gerlie Alma Gross, a minor 12 years of age; partition; referee sale confirmed and deed ordered.

Mary F. Tollefson against August Peterson et al. partition; referee sale confirmed and deed ordered.

Jack Koengstein as trustee in bankruptcy of estate of Myron A. Ogden against Edwards & Bradford Lumber company et al.; finding for defendant, Donaldson; plaintiff excepts; judgment of dismissal and for costs against plaintiff; plaintiff excepts; forty days to submit bill of exceptions; supersedeas bond at \$500.

Mabel Brown against Harry L. Brown, divorce; defendant defaulted; decree of divorce for plaintiff as prayed.

NEWS NOTES OF ALLIANCE AND BOX BUTTE COUNTY

ALLIANCE, Neb., July 10.—(Special.)—Howard K. King of Lamar, Mo., has been made editor of the Semi-Weekly Times. H. J. Ellis, owner and former editor, making this change in order to devote more of his time to other business.

Mrs. Nancy Frasier, a pioneer resident of Box Butte county, died here Monday at the ripe old age of 90 years. She was the mother of Mrs. Al Wilker, with whom she had made her home for the last eight years. A son, John Frasier, lives on a ranch near Houston, Tex.

H. P. Larson disposed of his ranch of 250 acres just east of Alliance, together with about 80 head of horses and cattle, the consideration is said to be about \$45,000. Eugene Thompson was the purchaser. Mr. Larson intends investing in Texas land, where he already has holdings.

Extensive arrangements are being made by the Alliance Woman's club for the chautauqua to be held here August 7 to 11, inclusive. An excellent musical program and several good speakers are on the bills for the entertainment of Alliance people and visitors for five days.

Cherry Seed in Baby's Nostril. FAIRBURY, Neb., July 10.—(Special.)—The little son of Mr. and Mrs. Carl Lutz is in a precarious condition as a result of getting a cherry seed in its nostril. Several doctors were summoned, but they were unsuccessful in removing the substance. It is the intention to have a specialist apply an X-ray in the hopes of locating the seed.

Bank Change in Beatrice. BEATRICE, Neb., July 10.—(Special.)—R. A. Nichell has purchased the controlling interest in the Union State bank of this city. He was formerly cashier of the Virginia State bank and until recently was engaged in the banking business at Montrose, Colo.

Stolen Goods Uncovered. BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

VILLISCA SUSPECT IS HELD

Otto Mattuschek, Lineman, Arrested by Chicago Police.

OFFICER WILL GO FOR HIM

He Says He Was Working Ten Miles from Moore Home Night of Murder—Denies All Complicity in Crime.

CHICAGO, July 10.—Otto Mattuschek was questioned today by the police concerning his knowledge of the Villisca, Ia., murders when eight persons in the home of J. H. Moore were killed by an unknown assailant early in June.

Mattuschek was taken in custody on dispatches from E. F. Karne, marshal of Villisca, to arrest and examine a man who would call for a valise checked to Chicago.

When questioned by the police Mattuschek declared that he was employed as a telegraph lineman ten miles distant from the Moore house when the crime was committed.

"I had nothing to do with the murders," he declared. "I was ten miles away at that time. I'll go back if they want me, but they can prove nothing against me."

The police were informed that an officer from Villisca would be sent for Mattuschek.

CASS COUNTY TREASURER REPORTS ON HIS FUNDS

PLATTSMOUTH, Neb., July 10.—(Special.)—County Treasurer W. Kelly Fox has just completed his semi-annual report covering the time from January 1 to and including June 30. There was on hand in all of the funds on January 1, 1912, \$20,288.30, and received during the half year, \$173,733.30, with disbursements during the six months of \$176,330.52, and a balance on hand at the close of business, June 30, of \$88,809.00.

There was collected on motor vehicles during the six months \$418. Fees earned by the office, \$2,525.18. The interest on deposits in the various banks for six months amounted to \$81.26. During the period there were disbursements to the state general fund of \$30,064.17; into the university fund, \$6,072.03, and into the teachers' school fund, \$8,177.72.

At the regular meeting of the council last night it was decided to purchase for the city's use as a council chamber and for other purposes, the two-story and basement brick owned by Fred Egenberger, situated at the corner of Fifth and Vine streets. The consideration of the purchase to be \$3,500. There are other buildings and sheds on the property sufficient to house the city's machinery and tools. The purchase has been made necessary on account of the sale of the building formerly occupied by the city council to the Young Men's Christian association.

The Modern Woodmen of America local camp has just completed the construction of a fine two-story building to be occupied in part by the camp for a hall, the greater part to be leased for storerooms and offices. The building is of pressed brick and one of the finest modern structures in the city.

NORTH PLATTE BAPTISTS WILL BUILD NEW CHURCH

NORTH PLATTE, Neb., July 10.—(Special.)—A contract has just been let for the construction of a church building for the First Baptist church of this city, which will be erected at the corner of Fourth and Locust streets, facing the court house square. The contract for the foundation has been let to John E. Pile and the remainder of the building to Howard R. McMichael. The building will be constructed of hollow tile with concrete finish and will be modern throughout, with gymnasium, rest rooms and dining room in the basement. The cost of construction will be \$10,000.

North Platte's third chautauqua will begin next Sunday, July 14, and will continue every day until July 21. A large and varied program has been provided. Indications are that this chautauqua will be largely attended. Provisions have been made for those desiring to camp upon the chautauqua grounds.

CANON BELL'S CHOIR BOYS ROUT THE PARK KEEPER

MASON CITY, Ia., July 10.—(Special.)—Thirty choir boys, backed by the good fighting parson, R. B. H. Bell of the Episcopal church of Des Moines, proved too much for the peevish park keeper of Central park here today. The boys have been enjoying camp life at Clear Lake for the last ten days and were on their way home, stopping off here to take their dinner in the park. For some reason the keeper did not enjoy their presence and turned the hose on the crowd. It wasn't long before some of the boys removed the objection and went and shut off the water. They were entirely too many for the keeper and he hustled off to get police assistance and they refused to interfere. There was quite a crowd in the park and all look sides with the boys, and the irate keeper finally had to seek shelter elsewhere.

Assessment in Thayer.

DESHLER, Neb., July 10.—(Special.)—According to the 1912 assessment, the valuation of all property in Thayer county is \$5,052,532, an increase of \$33,128 over last year. There are \$59,391.99 acres of taxable land, assessed valuation \$10,772, actual value \$53.60. The assessed valuation of the following articles is one-fifth the actual value: 11,367 horses valued at \$1,048,875, 1,869 mules at \$212,945, 18,165 cattle at \$404,585, 1,489 watches at \$209,775, 1,500 sewing machines at \$2,327, 838 cream separators at \$2,588, 1,799 dogs at \$8,570, fifty-seven corn shellers at \$861, sixty-four threshing machines at \$2,939, thirty-seven scales at \$284, 179 automobiles at \$14,494, thirty-six cash registers at \$616, 213 gasoline engines at \$2,551, sixty-two traction engines at \$2,897, 700 pianos at \$15,996, 594 organs at \$1,642.

DAN MURPHY OUT OF GAME FOR THE SEASON

PHILADELPHIA, July 10.—Captain "Dan" Murphy of the Athletics probably is out of base ball for the remainder of the season. Manager Mack reported today that Murphy had developed water on the knee, as the result of injury received July 2 when, in the game at Chicago, he made a slide for th home plate. The absence of Murphy from right field is regarded here as endangering the club's chances for the championship.

Large advertisement for a clothing clearance sale. Text includes 'Clearance Sale', 'Starts Thursday, July 11, With Our Entire Stock, Without Restriction, of Spring and Summer Suits for Men and Young Men Being Offered at 1/3 OFF REGULAR PRICES'. Includes an illustration of a man in a suit.

Advertisement for King-Swanson Co. Text includes 'King-Swanson Co.', '16th & Howard Sts.', 'F. S. KING, PRES.', 'THE HOME OF QUALITY CLOTHES', 'A. S. PECK, SEC. TREAS.'. Includes an illustration of a man in a suit.

BOOZE FIGHTING IN KANSAS

Chase and Capture of a "Deperado" Reveals a Roster of High Crimes.

At the request of the town marshal of a small western Kansas town that a certain "bad man" who broke jail there two years ago be arrested, Chief Henry T. Zimmer of the Kansas City, Kan., police department recently gave orders to look for a negro named George Washington Hogwood.

TUESDAY'S SCORES IN POLK COUNTY LEAGUE

STROMSBURG, Neb., July 10.—(Special Telegram.)—Stromsburg defeated Shelby yesterday on the home grounds in one of the fastest games that has been played this season on the Polk County league.

ROADBIRD, JR., TAKES THREE HEATS IN RACE

FRIEND, Neb., July 10.—(Special Telegram.)—The second day of the circuit races drew a better crowd than yesterday. The day was much cooler and the horses made good time. The big day of the meet will be tomorrow. Summary:

Facing 2:17 class: Roadbird, Jr. 5:1 1:1 J. E. 5:4 2:2 Ed T. 5:6 4:4 Biscuit 4:6 2:6 Artollette 2:3 6:3 Time, 2:30 2:17 2:24 2:32 2:22.

MILLER Wins Another

MILLER, Neb., July 10.—(Special.)—The Miller team yesterday defeated Elk Creek in a close game played on the Miller grounds by the score of 6 to 5. The game was played in a strong wind and dust, which bothered the players. Out of eleven games played by Miller they have won eight. Score by innings:

Elk Creek 2 0 0 0 0 1 0 2-5 Miller 2 0 2 1 0 0 0 1 1-5 Time, 2:34 2:22 2:21 1:20. Umpire, Cruseberry.

How to Keep Face Young and Attractive

(National Hygienic Review.) The way to ward off old age is not to fear it, but to allow one's self to be oppressed by the dread of advancing years. Use only legitimate preventives and avoid trying experiments with preparations not endorsed by physicians. An entirely safe and very effective way to keep the complexion young-looking and beautiful is to apply ordinary mercurized wax at bedtime, using it like cold cream, washing it off in the morning. This gradually absorbs the withered, faded cuticle, which is replaced by the more youthful, pink-tinted under-skin. One ounce of this wax, to be had at any drug store, is enough to completely rejuvenate a worn-out complexion.

Wrinkles and flabbiness of cheek and chin, the first signs of advancing age, may be lessened by a simple, harmless preparation made by dissolving an ounce of powdered azolectin in a half pint witch hazel. It is used as a face bath.

Have You Ever Seen "The Great White Way?"

It is famous all over the world, but is only one of the innumerable interesting sights to be seen in New York City. All-Steel trains run through to Pennsylvania Station—only a block from its brightest spot.

Low-Fare, 30-Day Round-Trip Tickets

Daily until September 30th, via PENNSYLVANIA LINES

Direct, or with stop-overs at Baltimore, Washington and Philadelphia.

Also Summer Tourist Fares to Long Island Resorts, and Variable Route (Go over way, return another) Tickets to New York and Boston

The benefit of reduced fares may be obtained from points in the West if passengers ask for tickets over Pennsylvania Lines or by addressing the Pennsylvania's representative, who will cheerfully furnish full particulars and assist in arranging details.

W. H. ROWLAND, Traveling Passenger Agent 319 City National Bank Building, OMAHA, NEB.

ROSSALE Comes to the Front

ROSSALE, Neb., July 10.—(Special Telegram.)—The Rossale ball team met and easily defeated the Walthill Indians in a lopsided game on the local grounds today, 15 to 5. Aside from the good work of Schaub, the Rossale pitcher, there was nothing to the game. Schaub struck out ten of the famous Indians and allowed them six hits. Rossale knocked Daniels, the Walthill leaver, out of the box in the second inning, and secured eleven runs in the one inning.

The Persistent and Justicious Use of Newspaper Advertising is the Road to Business Success.

Tremendous July Clearance Sale

10 to 50 Per Cent Reductions

Beginning next Monday, July 15, this store will hold its annual summer sale, selling every article in every department—furniture, rugs, draperies—at the greatest reductions any reliable house dare offer. The cuts are from 10 to 50 per cent. This sale has become an annual feature of Omaha's summer shopping. Full details, with hundreds of prices, will appear in next Sunday's Omaha Bee.

Miller, Stewart & Beaton 413-15-17 South Sixteenth Street.

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs

Stolen Goods Uncovered

BEATRICE, Neb., July 10.—(Special Telegram.)—Harry and James Syphard and their wives were arrested here today for stealing a lot of blankets, rugs