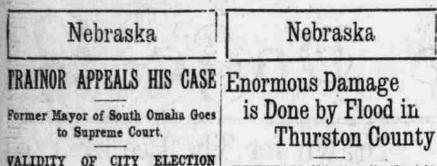
### THE BEE: OMAHA, WEDNESDAY, AUGUST 21, 1912.



Indement of Judge Kennedy in South Omaha Municipal Controversy Contested Before Upper Tribunal of State.

10

(From a Staff Correspondent.) LINCOLN, Aug. 29.-(Special.)-An ap- barns and outbuildings damaged and sev- second, though it was called at the end of peal to the supreme court by P. J. eral homes struck by lightning. All the the sixth ining to allow the vistors to Trainor, late mayor of South Omaha, bridges west and those north and south catch a train for Boston. Score: has been filed in the office of the clerk. of here are either gone or badly dam-The suit in district court involved the aged. Acres of corn are leveled either validity of the city election held in that by wind or water. Thousands of dollars to try last spring. The suit was brought will be lost not only from damage to roads and bridges by the water, but the find the spring to the district court by roads and bridges by the water, but the find the spring to t The suit in district court involved the aged. Acres of corn are leveled either in Douglas county district court by roads and bridges by the water, but the Thomas Hoctor, who asked that the farmers will find great difficulty in savmayor and cierk of the city be required ing any part of some of their crops. The to issue a call for an election under the old law, claiming that the new law damage to the railroad and cellars in which extended the term of office of the town were flooded and considerable that the new law was unconstitutional. damage done to merchandise. Travel on Judge Kennedy of the district court held roads east of here is exceedingly difficult that the new law was constitutional | and in many places the roads are impas-The supreme court, while not passing sable. on this case, has held in the Ryan and | East of Winnebago the damage is even

Stone Company Appeals. The Consolidated Stone company has appealed to the supreme court from a decision of the Douglas county district court in the case winere the Consolidated company were plaintiffs and the Union Pacific raliway, James Stewart & Co. and Alexander King & Co., were defandants. The controversy is over the filing of a mechanic's lien amounting to \$5,074.40 by the plaintiffs against the defendants for material used in the erection of the headquarters building of the Union Pacific Railroad company at Fifteenth and Dodge streets. The court gave judgment against the King company only, not holding the other de fendants in the case. The Consolidated Stone company not being satisfied with the judgment, has appoaled.

done.

Sodenburg Appenls Case. Alexander A. LaLone, who claims h was injured while working on a building at Fort Omaha which was being fixed up Circus Man Charged by Peter Sodenburg, a contractor, and who sued for \$10,000 damages in the Dougine county district court, receiving a decree for \$1,000, will have to wait for his money, as Sodenburg has appealed the case to the supreme court.

Many Cattle Entries,

Secretary Mellor of the state fair board received a letter from E. R. Donaldson this morning stating that there have been 610 entries in the cattle department, but that there are twenty-five stalls left for more entries. There will be five herds of Red Polled cattle on exhibition and geveral good entires in Heisteins,

Bank of Ayr Files, The Farmers State bank of Ayr, in Adams county, has filed its application State Banking be rd for th right to start a new bank. Its capital stock is placed at \$25,000 and the board of directors are C. L. Bonham, Mae Bonham, C. S. Woodworth, P. T. Kindig and odore Bachman.



Second Game with Clevelanc Napa Called at End of Sixth Inning to Let Visitors Catch

WINNEBAGO, Neb., Aug. 20.-(Special.) Train. Latest reports from over the county WASHINGTON, Aug. 20 .-- Washington confirm earlier accounts of destruction by the storm of Friday night last. The towns won a double-header with Cleveland. of Emerson and Thurston, west of here, Walter Johnson established a new Amerisuffered more damage from wind than can league record by winning the first, was experienced here. Nearly six inches of making fifteen straight victories. Cashion rain fell. Porches were torn from houses, pltched a no-hit, no-run game, in the

WASHINGTON. CLEVELAND. AB.H.O.A.E. AB.H.O. AB.H.O.A.E 0 Olson, 2b.... 4 0 3 1 00'Neill, c ... 1 Morgan, 2b., 4 0 0Carisch, c... 3 0Fe'kinpa', ss Shanks, H ... 3 McBride, st. 3 1 Ainsmith, c. 1 0 2 0 Gregg, p.... 0 Schegg, p.... 0 0 0 0 0 Steen, p.... 2 0 0 4 0 Johnson, p. 3 1 0 3 0 Mitchell, p. 0 0 0 0 0 "Batted for Steen in eighth. Washington ..... 0 0 0 0 1 2 1 0 -4 Cleveland ..... 0 0 0 0 0 0 2 0 0-2

Cleveland .... Two-base hits: Moeller, Carish. Three-Pivonka case that the new law, ex-riending the term of the officials holding office at the time the bill was passed, was constitutional. Stone Company Amerals. Stone Company Amerals. Was and crops suffered greatly. Stone Company Amerals. nolly and Hart.

SIL A

2 The reservoir at the agency that fur-Score, second game: nishes ice in the winter was overflowed WASHINGTON. CLEVELAND. AB.H.O.A.E. AB.H.O.A.E. and the spillway washed out and the AB.H.O.A.E. AB.H.O.A. Milan, cf... 3 1 2 0 0 Ryan, 11..... 3 0 0 0 Foster, eb... 3 0 0 2 9 B'm'ham, cf 3 0 2 0 waters thus released carried away the Fostor, ob...3 0 Walker, rf...2 0 0 Jackson, rf., b Lajole, 2b... bridges below the agency and ruined corn in fields below. The water mains at the Morgau, 2b., 1 0 1 3 0 D.John'n, 15 3 0 0 0 0 0 0 0 lson, 35.... 3 0 agoncy were washed out and the strik-Shanks, If. 1 McBride, ss. 3 1 20'Neill, c. ing of timbers against the lines along the 0 Pe'kinpa' creek caused the mains to burst, thus Cashion, p. 2 0 0 1 0 Gregg, p. putting out of commission the water sys-- \*Hunter Totals.....18 # 18 9 2 tern. The Indian mission south of the Totals ... ... 19 0 15 5 2 agency is totally cut off and the camp "Batted for Gregg in sixth.

grounds where the revival services were Washington ..... 0 2 0 Cleveland ..... 0 0 0 in progress is flooded and great damage Game called by agreement. Two-base hit: Henry. Stolen bases: Shanks, Milan. Struck out: By Gregg. 5; by Cashlon, 2. Time: 1:06, Um-pires: Hart and Connolly. amount to thousands of dollars for 9; by bridges alone, Corn and other crops are pires: bridges alone. Corn and other crops are

Yankees Divide Two. NEW YORK, Aug. 20.-New York broke even in a double-header with St. Louis today, losing the first game. Ford's support failed in the eighth inning. Mc-Connell bested Mitchell in a itchers' con-test in the second game. Score, first game:

 
 BT. LOUIS.
 NEW YORK.

 AB.H.O.A.E.
 AB.H.O.A.E.

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•Batted for Mowrey in eighth. •Ran for Kutina in eighth. "Batted for Ford in ninth.

Louis Reynolds, R. Collier, Dr. Moore, Dr. Dugan and Fred Sears and held an inquest. The show was forbidden to





We've too

many Pianos-

YOU have none!

We've not

room ENOUGH

YOU have plenty.

You will buy at phenom-

enally low prices be-

cause you like to. We

must sell at phenomen-

ally low prices because

Think it over!

Orkin

we have to.

### Special Settlers' Train.

Labor Commissioner Guye is so badly swamped with letters regarding the spacial train which will leave Chicago with courists who desire to take up the Kinkald lands vacant in Nubraska that he cannot answer them all before he leaves to take charge of the train . ... so issues the following information it. to where the train can be reached by those whe wish to take the trip:

Burlington train No. D will leave Chicago at 9:45 o'clock on Tuesday morning, September 8, and will reach following places; Aurors, III. 20:40 a. m.; Mondota, 11:40; Princeton, 12:00 p. m.; Kowanee, 12:45; Galesburg, 1:25, all in Illinois, The train will stop at the following towns in lowar Burlington 33 p. m; Mount Pleasant, 8(90) Fairfield, 3:55; Ottumwa, 4:25; Albion, 5.64; Sheridan, 5:89; Osceola, 6:25; Cresten, 7:30, and will reach Omaha at 11:15 p. m. and Lincoln at 1:05 a, m. A change will then be made to train No. 43, leaving Lincoln at 1:60 a. mit Seward, 2:50; York, 3:83; Aurora, 4:11; Grand Island, 4:45; Ravenna, 5:45; Broken Bow, 7:22, and Benees, 9:00,

Since Commissioner Guye has taken hold of the matter of getting the vacant lands of Nebraska taken up by actual settlers. Thousands of acres have been esteaded under the Kinkaid not, and he hopes that this train will be the means of placing a great many good, settlers in Nebraska.

#### County Lines Wrong,

Senator E. L. King, who is one of the committee selected by the governey to posify the laws of the state, finds that s groat many boundary lines of the different counties are not in accordance with the record as shown by the statutes and that semething will have to be done along the line of making the present lines and the lines shown by the tatutes correspond.

Two Phones Cambopanno, That the railway commission may be

called upon to hurry up the consolidation of the two-phone system in Lincels is evidenced by the act of City Attorney Poster of Lincoln in going before the oity council Monday afternoon and asking permission to take the matter before the commission, Mr, Foster will ask the commiss on to ask the companies either to make physical connection of the manual and automatic lines or quit celecting tolls from the Boll phone users attes September 1,

Coal Fails to Most Test, The State Board of Purchase and Supplies has refused to accept Sprague steam coal, as it failed to come up to the test. showing 37.8 per cent refuse. This cos' comes from Missouri mines and was supcosed to be the same quality as the Kansas coal called Pittsburgh. The latter shows a refuse of 16.08 per cent.

## **BAPTISTS TO MEET IN** FALLS CITY NEXT YEAR

STELLA, Neb., Aug. 20.-(Special.)-The at meeting of the Nemaha Baptist : will be held in Falls City the st week of August, 1913. At the meetng just closed at Prairie Union Rev. J. . Bell of Stella was elected moderator, w. S. Miller of Praitie Union clerk and Prof. Smith of the Peru Normal was national aviators will be present and chosen treasurer. Five state workers were present at the meeting-Rev. J. D. Collins of ILincoln, Rav. Wilson Mills of J. H. Keyr of Analey and Miss Harriett Couper of Chicago.

Inquest. The show was forbidden to leave town until after the jury had re-ported and many of the performers and laborers were summoned as witnesses. It was shown that Arthur Eldridge, su-perintsndent of the show, was in the habit of using force with his men. Parker had been drinking, and it is supposed that he had been tarned a little to hard he had been tapped a little too hard, as he had four or five bad looking marks

high water at Winnebago did considerable

The damage done in this section will

also heavily damaged by wind and water.

A number of bridges were located in this

section, but some are totally destroyed.

With Murder of an

Employe at Campbell

UPLAND, Neb., Aug. 20.-(Special.)-

About 9 o'clock last night Sam Parker, a

laborer with Cole Bros.' show, was found

dead just outside the main tent at Camp-

bell. There were evidences of foul play

and Coroner Dr. H. C. Smith of Franklin.

who happened to be in Campbell, empan-.

elled a jury consisting of David Best,

on his head and face and had bled profusely. The jury brought in a verdict that Parker had come to his death by wounds inflicted by Arthur Eldridge and recommanded that he be bound over to the district court charged with murder in the second degree. The preliminary hearwounds inflicted by Arthur Eldridge and Zinb, rf..... 4 Simmons, 20 4 ing will be held in police court tomorrow.

# **NEWS FROM BEATRICE**

structors are F. M. Hunter and Miss Minnie Newman of Li in, Mrs. F. C.

ness with his father. His mother, Mrs. double plays. Score, first game: M, Whipple resides here. The body was brought to this city today for interment.

sanity commissioners. He was brought Callahan, If, 4 1 5 here from Liberty Sunday where he was Weaver, ss. 8 0 3 weaver, ss. 8 1 3 engaged in selling stock food. Hoy Evans and Miss Kate L. Morrow, both of this city, were married yesterday

by Ray, U. G. Brown. Mrs. J. L. Mones, an old resident of

Boatrice, died yesterday after an illness

but failed to place the blame for the ac-

cident. Samuel D. Rutheford, for nineteen vears janitor of the Beatrice postoffice. diad yesterday morning at his home in Glonover

# HARTINGTON WITHOUT MAIL FOR OVER TWO DAYS

HARTINGTON, Neb., Aug. 20.-(Special.)-The first mail since last Friday evening was received here Monday, the

town having been out off for that length of time from the outside world by floods

## MADISON FAIR SECURES SOME STAR ATTRACTIONS

MADISON, Neb., Aug. 20 .- (Special.)-Several star attractions have been proourse for the Madison County fair September 11, 12 and 12. The Moisant intermake two flights each day. Each flight includes the voloplane glide. The aviator mosa Remedy," writes M. E. Gebhardt, when several thousand feet from the Oriole, Pa. There is nothing better. For Omaha, Rev. Fred Berry of Lincoin, Mrs. earth shuts off his gasoline engine and sale by all dealers. glides gracefully to the earth by a thrilling manipulation of his monoplane.

Key to the Situation-Bee Advertising.

Boore, second game: NEW YORK. + ST. LOUIS. AB.H.O.A.E. AB.H. AB.H.O.A.E. AB.H.O.A.E. Daniels, If. 4 1 2 0 0 Shotten, cf. 4 2 3 0 1 Chass, 19., 4 1 12 1 (Austin, Rb., 3 0 2 1 0 Paddeck, 3b. 4 1 3 1 (Pratt, 2b., 4 0 3 0 1 Pratt, 2b.... officyall, 1b... 

New York ...... 0 0 0 0 0 0 0 2 0 \*-3 St. Louis ...... 0 0 0 0 0 1 0 0 0-1 AND GAGE COUNTY BEATRICE, Neb., Aug. 20 - (Special)-The Gage county teach astitute opened here yesterday for up of a week with a large attendance. The in-structors are F. M. Hunter and Miss

### Chicago Cleans Up Series.

Newsil of Denver, and C. F. Von Court of Cedar Rapids, Is. Fred Whipple, who was found dead in the county jall at Lincoln Sunday morn-ing, was a former resident of Beatrice whare he was engaged in the milk busi-ness with his father. His mother Mrs. Kapitalists Capture Second Game HAVE ON BATTING CLOTHES

Score:

Fremont

CHICAGO. AB.H.O.A.E. PHILADELPHIA Edward Carroll, an old resident of Be-atrice, was ordered committed to the asylum at Norfelk yesterday by the in-J.Collins, 15 & 9 0 0 Baker, 50... 4 2 AB.H.O.A.E Chilaban, H, 4 1 2 0 0 McInnes, 15, 4 0 10 2 Zoider, Bb. 8 0 3 2 0 Strunk, cf. 4 0 3 0 Weaver, m. 8 1 3 2 0 B Lord, rf. 3 1 3 0 guhali, c. 1 0 0 1 0 Lapp, c. 3 0 4 1 Easterly, c. 3 2 8 0 0 Coombs, p. 3 1 1 1 Citotte, p... 4 1 0 0 0

Totals.....35 6 37 10 0

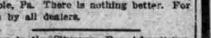
PHILADELPHIA, AB.H.O.A.E. CHICAGO.

Barry, ss.... 4 1 2 2 0 Rath, 2b.... 4 Oldring, If... 4 1 2 0 Mattick, c-rf 4 E.Collins, 2b 4 1 3 4 0 H Lord, r-cf 4 Baker, 3b., 4 1 2 3 4 0H.Lord, r-ef 4 Baker, 3b., 4 1 2 3 0.J.Collins, 1b 4 McInnes, 1b. 2 1 9 0 0Callahan, 1f 4 Strunk, cf., 2 0 4 0 0Zelder, 3b., 4 B. Lord, ff, 2 1 1 0 0 Weaver, ss., 4 Bgan, c..., 2 0 5 2 9Fuhn, c..., 3 Lapp, c..., 1 0 0 1 0White, p..., 2 Hender, p., 1 0 0 0 0 Peters, p., 0 1 Houck, p..., 1 0 0 0 0 Valsh, p..., 1 Wagnert., 1 0 0 0 0 Walsh, p..., 1

"Batted for White in fifth. "Barry out, hit by batted ball. of time from the outside world by floods af rain, which washed out about a mile of track between Coleridge and Lauret and put an end to traffic. This locality has experienced some of the heaviest rains in years during the last week, about six inches of water having fallen. L. Ottenheimer, who has conducted the Famous clothing store of this city for the last eighteen years, has sold out to McDonald & Anderson of Alcester, S. D.

> Fallerton Chautauqua. FULLERTON, Neb., Aug. 30.-(Special.) Sunday's attendance at the local chautauqua was almost a record breaker.

Addresses were given by Father Cronin and Ernest W. O'Neal of Chicago. "I was cured of diarrhoes by one dose of Chamberlain's Colic, Cholers and Diar-



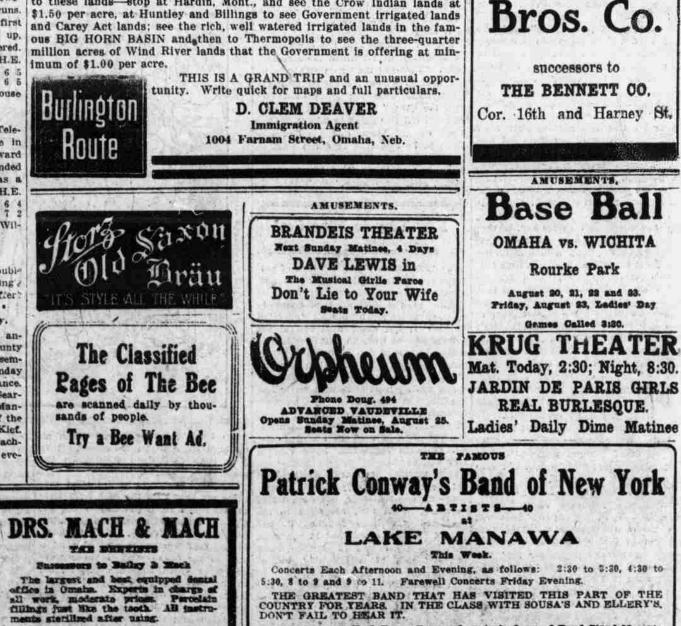


# **Most Extraordinary** Land Sale the West Has Ever Known

Government auction sale of 775,000 acres Wind River Reservation lands near Thermopolis, Wyo., September 19th, 1912, at minimum price of \$1.00 per acre, and 350,000 acres Crow Indian Reservation lands near Hardin, Mont., October 21st, 1912, at minimum price of \$1.50 per acre. No residence required. Get title right away. Buy some of these cheap lands and go to raising high priced cattle.

YOU WILL NEVER HAVE A LIKE CHANCE AGAIN ROUND TRIP TOURIST TICKET from Omaha to Thermopolis, \$31.75 any day until September 30th, good to return to October 31st. Low rates from other stations. Stop overs allowed everywhere.

On this ticket you can see the Free 640 acre homesteads in Western Nebraska, and stop at Upton, Moorcroft and Gillette, Wyo., to see the Mondell 320 acre Free Homesteads-the new three year homestead law applies to these lands-stop at Hardin, Mont., and see the Crow Indian lands at \$1.50 per acre, at Huntley and Billings to see Government irrigated lands and Carey Act lands; see the rich, well watered irrigated lands in the famous BIG HORN BASIN and then to Thermopolis to see the three-quarter million acres of Wind River lands that the Government is offering at minimum of \$1.00 per acre.



THE GREATEST BAND THAT HAS VISITED THIS PART OF THE COUNTRY FOR YEARS. IN THE CLASS WITH SOUSA'S AND ELLERY'S, DON'T FAIL TO HEAR IT.

Admission to Path Free. Reparved seats in front of Band Stand 10 cents for each concert.



M Floor Faxion Block, Gantha, Hob.

from Pathfinders.

Stone Pitches Strong Game for Four

Innings, but Weakens-York

Continues to Win from

Seward.

FREMONT, Neb., Aug. 20.-(Special Tel-

ogram.)-Kearney took the second game

of the series this afternoon by a score

of 5 to 1. The Kapitalists started the

business in the fourth, when two two-

baggers and a single brought in two runs.

Stone pitched agreat game for the first

four innings, but afterwards let up,

though keeping the hits well scattered.

Kearney .....0 0 0 0 1 0 0 0 0-1 6

Batteries, Stone and Spellman; Rouse and Neff. Umpire: Nugent.

York Takes Second Game.

gram.)-York took the second game in

the series this afternoon from Seward

by the score of 4 to 2. The one-handed

catch by Osborne in right field was a

Batteries: Stevens and Campfield, Wil-kins and Kelly. Umpire: Kissane.

A Break for Liberty

from stomach, liver and kidney trouble

is made when a 25c box of Dr. King a

New Life Pills is bought. Why suffer?

Teachers' Institute at Fairbury.

FAIRBURY, Nebr., Aug. 20.-The an-

most marvelous one. Score:

YORK, Neb., Aug. 20 .-- (Special Tele-

R.H.E.

R.H.E.