

DEFENDANT HAS FAILED TO COMPLY

Petition States Alimony Is Not Forthcoming.

COURT ORDER NOT HEEDED

Ralph Bain's Condition Shows More Improvement.

Mrs. Mattie Bain filed a motion in the district court yesterday afternoon in the case of Bain vs. Bain. She states that the defendant, Ralph Bain, has failed to comply with the orders of the court regarding the payment of the alimony and the sum directed to be paid to the clerk of the court.

She further avers that S. B. Amidon has in his possession the sum of \$1,000 belonging to the defendant, Ralph Bain; that it was placed with him for the purpose of avoiding and defeating the order made by the court.

Wherefore she asks that an order be issued by the court, on Ralph Bain and S. B. Amidon, compelling them to pay the sums now due upon order of the court. Wall & Houck are attorneys for Mrs. Bain.

Ralph Bain was still unable to appear when his case was called for trial in the police court yesterday.

When seen at the St. Francis hospital yesterday, Bain said that he felt better, but was, as yet, unable to see out of but one eye. The cause for this being that his face was so badly swollen with erysipelas. However, his condition is very much improved and it is thought that he will be able to appear in the police court in a day or two.

HAS HOPES STILL.

Todd Thinks It Will Get Warmer in a Day or Two.

Forecast for Wichita and vicinity: Probable rain or snow; colder.

For Kansas: Probably rain or snow and colder.

Observer Todd was in no uncertain manner emphatic in his declaration of war upon the sunshine and flowers, stating that every indication pointed to a rather severe snap of winter—snow, sleet and ice with the accompanying discomforts. However, he was good enough to hold forth the assurance that it would be but for a day or two, when the spring-like weather will again be here.

Cloudy threatening weather is generally shown in all sections except over portions of the plateau region. Snow was falling this morning at Denver and Minneapolis, sleet at Kansas City, and rain at Grand Junction, and Dodge City. The precipitation in the past 24 hours has been moderate over Utah, southern California and western Colorado, but elsewhere it was unimportant. The Pacific northwest storm was central over western Montana yesterday morning, has moved southeastward to the Texas Panhandle. It has caused a general rise in temperature over the region between the Rocky mountains and the Mississippi river. The indications point to the eastward movement of this disturbance which will cause precipitation in this section tonight and Thursday. The pressure is highest over the lake region and relatively high over the Pacific northwest.

Maximum temperature yesterday, 22 degrees; minimum, 23.

RESIDENCE PROPERTY SOLD.

Purchasers Buy Lots All With Intention of Building.

The Hartford Western Land company and R. L. Holmes have sold to Charles H. Smyth 25 feet of ground north of Twelfth street on the east side of Lawrence avenue, for \$1,750. Mr. Smyth will soon build a residence in keeping with the surrounding properties.

Among other sales that the same company has made is 10 feet of ground on South Market street opposite the Harry street school to Mrs. Elizabeth Wentz, and she has let a contract to Mr. McKee for a new house.

The same company has also sold the southwest corner of Eighteenth street and Emporia avenue, and C. W. Stevens has bought 50 feet on Diver street just north of Central avenue. This ground was owned by J. P. Parkhurst.

LOCAL MAN HONORED.

Col. T. G. Fitch Is Elected to Office of Grand Master.

Col. Thomas G. Fitch, of the city, was yesterday afternoon elected to the office of grand master at the annual meeting of Masons now being held at Topeka.

At the conclusion of the work the officers and members of the Grand Lodge were tendered a reception and entertainment in the Masonic building last night.

THREATENS HER LIFE.

Bessie Rose Files Complaint Against Divorced Husband.

Bessie L. Rose filed a complaint yesterday in the city court against Richard M. Rose, her divorced husband, who, she says, has repeatedly threatened her life and she has declared that she has every reason to fear that he intends to carry his threats into execution.

HOSTETTER'S STOMACH BITTERS. For Indigestion, Dyspepsia, Belching, Heartburn, Insomnia, Dizziness and General Debility we urge a trial of Hostetter's Stomach Bitters, because we know it will cure you. It has a record of 50 years of such cures back of it, and you can therefore rely on it. For sale by druggists.

Stop That Cough!

Don't Delay, Serious Consequences May Result from NEGLECT.

Beggs' Cherry Cough Syrup.

Cures Bronchitis, Tonsillitis, Sore Throat, Pneumonia, Asthma, Whooping Cough, Pleurisy, Coughs and Colds. Avoid Substitutes. Ask your Dealer. Price, 25 and 50 cts. per bottle.

INSTALLATION OF SARGENT

PASTORS WERE PRESENT FROM ALL OVER THE STATE.

Splendid Music and Fine Speeches Were Features of the Ceremonies at Plymouth Church.

A council of the Congregational churches met yesterday afternoon at 3 o'clock at the call of Plymouth church to formally induct Dr. Clarence S. Sargent into the pastorate here. Kansas Congregational churches have not been observing the installation services as many older states have, but an interest is being awakened, and now that the first public ceremony has occurred others are almost sure to follow.

Rev. J. E. Ingham, state superintendent of Sunday school work, was chosen moderator, and Rev. W. C. Wheeler of Wellington was made scribe. E. D. Kimball, the church clerk, read from the records the proceedings relative to the call of the pastor and the calling of the council, and Dr. Sargent presented credentials of his standing and dismissions from former pastorates. He also presented a carefully prepared paper giving his theological views and told of his religious experience. The council questioned him at length and afterward, when left alone to ballot on the application, voted the examination satisfactory.

A committee was appointed to draft resolutions commendatory of the pastor's work in Wichita, which are as follows: "The council of installation, called by Plymouth Congregational church of Wichita, Kan., met at its house of worship at 3 p. m., February 17, 1904. After a full and careful deliberation, the council desires to express as its findings the following statements:

"Whereas, Rev. Clarence S. Sargent, D. D., and the Plymouth Congregational church have been acting as pastor and people for the past two years in a most happy and fruitful relationship; and

"Whereas, the Congregational usage will continue to have a most gracious and fruitful ministry. His wide interests in civic affairs and his kind regard for all moral, educational and religious movements, are widening his ministry. In this portion of this great state he is and will continue a strong, uplifting and wide influence.

"Third—That the support of this church and their hearty cooperation in all of the plans, disclose them to be a thoughtful, loyal and active people. The church is fitted to assume a leadership in our denomination throughout the state and nation. The increase of their gifts and the increasing activity of their plant, with a wide outlook on current religious movement, contributes to their standing and effectiveness.

"Fourth—That the statement of religious experience and the paper of doctrinal belief were highly satisfactory to the council. Tender and thoughtful, with an emphasis on the essentials of faith and life, Dr. Sargent is fitted to be a leader and helper of the people. The fruitfulness of his ministry thus far records his understanding of human need and its abundant supply in the goodness and love of God. Holding the essentials of the faith securely and yet understanding the meaning of modern movements of thought and life, he ministers to present needs with the riches of the gospel.

"Fifth—That we commend the practice of having installation services to the Congregational churches of this state, believing in the dignity and value of the Christian ministry and that the usefulness of the minister and church may be increased by such a service, while it is not binding upon either as to prolong the pastorate, yet it recognizes the minister as pastor of his people and the high service of a church in its community.

G. W. SIMMONS, "JAMES W. FIFEILD, "Committee."

Last evening the council cooperated with Plymouth church in the following program of installation.

Headline of Minutes.....Scribe of Council Anthem.....Church Choir Invocation.....Church Choir Scripture Reading.....Rev. Simmons Hymn.....Church and Choir Sermon.....Rev. J. W. Fifeild, D. D. Installing Prayer.....Rev. R. M. Sargent, D. D. Anthem.....Church Choir Charge to Pastor.....Rev. D. M. Flak, D. D. Right Hand of Fellowship.....Rev. F. G. Ward, Ph. G. Address to People.....Rev. H. E. Thayer Benediction.....

The following people from out of town were present and assisted in the ceremonies: Rev. J. W. Elford and Jackson Brooks, of Sedwick; Rev. B. F. Buck and H. N. Renfrow, of Mount Hope; Rev. W. C. Wheeler and D. F. Garmand, of Wellington; Rev. W. B. Simmons and W. I. Plumb, of Newton; Rev. W. B. Stover and Mrs. F. M. Latham, of Chalk; Rev. P. H. Ward, of Emporia, a former pastor; Rev. A. P. Solandt and J. Laudenslager, of Fairmount church; Rev. H. E. Thayer, J. E. Ingham and D. M. Flak, of Topeka; J. W. Fifeild, of Kansas City; R. M. Sargent and Thomas H. Harper, of Oklahoma City.

Last year there were 20,256 applications for patents at the patent office in Washington. Of these 23,82 were granted. The receipts of the office were \$1,500,000. The patent office is the only government bureau that is operated at a profit.

PLANT TO BE BUILT WILL COST \$25,000

Company Will Install a Sand Dredge.

WITH FORTY CAR CAPACITY

Local Business Men Take Stock in Firm.

J. F. Rodd of Kansas City, who is vice president and general manager of the American Sand and Supply company of that place, is in the city with a view to installing a sand dredge here, which will cost in the neighborhood of \$25,000.

In addition to the dredge, a plant suitably equipped for the handling of forty car loads of sand daily is included in the \$25,000.

The firm has similar plants at Topeka, St. Joseph, Des Moines and Omaha. It built, the Wichita plant will rank in size with those at any of the other places mentioned.

Until the arrival of Mr. Rodd at Wichita, the company had two places in view at which to install the plant. Wichita was one. Local business men have agreed to take an interest in the firm, and it is now practically a sure thing that the new plant will be built at this place.

WILL GIVE BALL.

Uniform Rank, K. of P., to Trip Light Fantastic.

The Uniform Rank, Knights of Pythias, will give their annual ball tonight in Garfield hall. The doors will be opened at 7 o'clock and all members, visiting members and friends are invited to attend.

The ball will be opened by the Wichita company, who will appear in uniform. The music will be furnished by Prof. Blume's orchestra.

BENTLEY AS JUROR.

Ex-Senator Becomes Involved in a Lengthy Trial.

Senator O. H. Bentley is said by the court house employes to be fast gaining the name of a professional juror.

When the Campbell-Hader case was called yesterday in the city court, Marshal Hawk was sent out to find one juror, who was lacking to finish out the panel. Down in the probate court he met Bentley, who expressed his willingness to sit as a juror, provided the case was a short one, of which fact he was assured by Hawk. It was the expectation of Bentley to be removed from the jury by the lawyers in the suit, but such was not the case.

The trial occupied all of yesterday, and will probably not go to the jury until this afternoon, and the boys consider that they have the joke on Bentley, though he takes the matter good-naturedly.

MALEK TALKS INTERESTINGLY.

Those Present Were Delighted With Pianist's Recital.

From an artistic and musical point of view, the concert given at the Toler last night by Ottokar Malek, the young Bohemian pianist, was a distinct success. The only disappointing feature of the evening was the small-sized audience. Over three hundred persons braved the icy streets and sidewalks to attend, and had it not been for the severe weather, the auditorium would doubtless have been filled to overflowing. Though the audience was comparatively small, their appreciation was shown by the tremendous applause with which each member was greeted. At the close of the final number the delighted listeners demanded another encore, to which Malek graciously responded.

The first number, Toccata and Torteque, by Bach-Tansie, displayed a great musical memory and flawless technique, while his second number, Beethoven's Rondo in G major, was played with a delightful delicacy of touch which was greeted with prolonged applause from his charmed hearers. In playing the Ballet d'Alceste, by Gluck-Saint Saens, and the Andante, by Hayden, he proved himself equally great in technique and in interpretation. Probably the most pleasing was the manner in which he played Chopin's minor Fantasia and three pieces of Greenfield with such astounding technique and finger dexterity which fairly entranced the audience. His use of the wrist is wonderfully light and easy.

Sempre Scherzando, by Sauer, was played in an artistic manner which proved him not a one-composer pianist, but to be thoroughly acquainted with the classic and modern masters. The last number, Tarentella, by Liszt, which is devoted to the most brilliant style of music, was marvellously played, and the applause of the audience did not cease until he responded with an encore. In an interview with this wonderful master, who is as interesting personally as he is in his art of playing, he said: "This is my first series of concerts given in America, and I think it will be no means by my last, for I have been royally treated by every one, and it is my greatest desire to show my appreciation of the cordial welcome given me by proving myself equal to what they desire in music."

"Are the western people an enthusiastic over music as people of the east?" he was asked. "Yes," he replied. "I think they are much warmer than the eastern people, although in the east one is sure to meet with great criticism. It is easier to play in San Francisco than New York, as there are so many critics in the latter place that one plays under a greater nervous strain than in the west, as he is aware that a large percentage of the audience for the purpose of criticism."

"Wichita has a reputation for being a very musical city, and there are few cities of its size in the west that are able to secure the artists which have visited it."

THE OLD PLEA.

He "Didn't Know It Was Loaded." ... coffee drinker seldom realizes that coffee contains the drug Caffeine, a serious poison to the heart and nerves, thereby causing many other forms of disease, notably dyspepsia.

"I was a lover of coffee and used it for many years and did not realize the bad effects I was suffering from its use. At first I was troubled with indigestion, but did not attribute the trouble to the use of coffee, but thought it arose from other causes. With these attacks I had sick headache, nausea and vomiting. Finally my stomach was in such a condition I could scarcely retain any food."

"I consulted a physician, who was told all my troubles came from indigestion, but was not informed what caused the indigestion, so I kept on with the coffee and kept on with the troubles, too, and my case continued to grow worse from year to year, until it developed into chronic diarrhoea, nausea and severe attacks of vomiting, so I could keep nothing on my stomach and became a mere shadow, reduced from 150 to 125 pounds."

"A specialist informed me I had a very severe case of catarrh of the stomach, which had got so bad he could do nothing for me, and I became convinced my days were numbered."

"Then I chanced to see an article setting forth the good qualities of Postum and explaining how coffee injures people, so I concluded to give Postum a trial. I soon saw the good effects—my headaches were less frequent, nausea and vomiting only came at long intervals and I was soon a changed man, feeling much better."

"Then I thought I could stand coffee again, but as soon as I tried it my old troubles returned and I again turned to Postum. Would you believe it, I did this three times before I had sense enough to quit coffee for good and keep on with the Postum. The result is I am now a well man, with no more headaches, sick stomach, or vomiting and have already gained back to 147 pounds." Name given by Postum Co., Battle Creek, Mich.

Look in each package for the famous little book, "The Road to Wellville."

On the Fence.....

as to whether to buy a new pair of Trousers or make the old pair do?

Stop in when passing, see what we're offering and you decide instantly.

We're reducing the quantity by reducing the price. This means a good saving to you.

Herman & Hess Are the Best



THE HUB

CHARLES YOUNGHEM, Proprietor. 114 North Main Street. Wichita, Kansas.

Some Say Zero Weather

We are inclined to think the most appropriate suggestion, today would be

OVERCOAT WEATHER

and such stylish overcoats as ours are good values always at their regular prices.

Today Take Your Choice 25 Per Cent at a Reduction of

Other winter necessities in both men's and children's apparel at a like discount.

Now's the Time When Money Flies

Away from the man who buys poor coal, our customers will be able to appreciate the heat-producing qualities of our coal. We handle the best of all kinds. Another Jackson-Walker feature which is best appreciated in a cold spell like this is our prompt service and quick delivery.

Phone us your order first thing this morning and see how quickly your orders are executed.

The Jackson-Walker Coal & Material Co.

"THE WICHITA COALING STATION" 112 East Douglas Ave. Both Phones 10.

played in an artistic manner which proved him not a one-composer pianist, but to be thoroughly acquainted with the classic and modern masters. The last number, Tarentella, by Liszt, which is devoted to the most brilliant style of music, was marvellously played, and the applause of the audience did not cease until he responded with an encore. In an interview with this wonderful master, who is as interesting personally as he is in his art of playing, he said: "This is my first series of concerts given in America, and I think it will be no means by my last, for I have been royally treated by every one, and it is my greatest desire to show my appreciation of the cordial welcome given me by proving myself equal to what they desire in music."

WILL SINK WELLS.

Santa Fe Thinks There is Oil in the Territory.

The Santa Fe has leased 1,000 acres of land near Ardmore, T. T. in the oil fields, and will begin to sink wells as soon as the machinery can be placed in position. The lease has been made for five years. This is the first move the Santa Fe has made toward the Indian territory oil fields.

SOCIALISTS CALL CONVENTION.

For the Purpose of Making Nominations for City Election.

In addition to the Republican and Democratic tickets which will be in the field for the spring election, it is now known for certain that there will be a third, and possibly a fourth, ticket. The Socialists of Wichita have called a city convention for Tuesday night, February 23. It will be held in room 207 of the Redwick block. Candidates will be nominated for every vacancy in the city office.

INTERESTED IN OIL.

Test Will Be Made to Strike Product Near Eureka.

Green Saylards, formerly county treasurer of Greenwood county, and a well-known resident of Eureka, the county seat of that county, is in the city at the bedside of his son, who was recently operated on for appendicitis and who is now rapidly recovering under treatment at the Wichita hospital.

Mr. Saylards is interested in an experimental test to strike oil near Eureka, and is confident from the results obtained thus far that oil in quantities is to be found in that locality.

PARENTS' CONSENT REQUIRED.

Judge Granted Marriage Licenses to Two Yesterday.

Lindley E. Randall, aged 17, of Rose Hill, and Chas. M. Hinesdale, aged 17, of Howe Hill, were married yesterday morning by Judge Knoch in his private office at the court house. Owing to the youth of the couple it was necessary, before securing a license, that they produce the written consent of their parents.

A license was also granted to T. H. Totten, aged 21, of Hutchinson, and Miss E. Parker, aged 18, of Colorado Springs. The ceremony was performed by Judge Knoch.

MISCELLANEOUS "HAIR TONICS."

Most Hair Preparations Are Merely Scalp Irritants, of No Value. Most hair preparations are merely scalp irritants, so-called hair tonics. When hair is brittle, lusterless and begins to fall out, the dandruff germ is getting in its deadly work at the root, sapping the vitality. Since science discovered that dandruff is a germ disease there has been only one preparation put on the market that will actually destroy the dandruff germ, and that is Newell's Hairdressing Cream. It quickly reduces scalp fever, destroys the germ, and the falling hair stops, and hair grows luxuriantly. Ask your druggist for Newell's. It always stops itching instantly, and permits the hair to grow. Sold by leading druggists. Send 10c in stamps for sample to The Hairdressing Co., Detroit, Mich. Moore Drug Co., special agents.

DR. FISKE TO LECTURE.

Talk Will Be Illustrated With Stereoscopic Views.

Dr. D. M. Fiske of Topeka will deliver an illustrated lecture at Fairmount college this evening. The lecture concerns the educational interests of Kansas and will be illustrated with very fine stereoscopic views. Dr. Fiske is a very brilliant thinker and speaker. The lecture is free and a cordial invitation is extended to the public. The teachers of Wichita are especially invited to be present, as Dr.

Overcoats

Men's Overcoats cut medium and extra long, all newest shades; regular price \$12.00, \$13.50 and \$14.00 now

....\$8.00....

Reductions on Higher Grade Suits and Overcoats in proportion.

GOLDEN EAGLE

Wichita's Greatest Money-Saving Clothing Store.

C=A=P=S

New styles in Caps for boys and girls, including all the new shapes, golf, buster brown, automobile, belle crown golf and tams.

Greenfield Bros

WICHITA, KAN. Fastest Growing Store in Wichita. Postoffice Directly Across the Alley.

TURNER, THE COAL MAN.

Deeply Interested

Most people are when it comes to good coal, the proper place to get it, the reasonableness of the price asked, the prompt delivery. All these things come under serious consideration. All the proof that we can give is that most of our neighbors are centering their purchases here and are greatly pleased. Phone No. 493, old or new.

J. H. TURNER 535-547 WEST DOUGLAS AVENUE

CAREFUL MEN. PROMPT SERVICE.

The City Transfer and Storage Co.

J. H. GRAHAM, Manager. Business entrusted to us will receive careful attention. Bulk warehouse separate rooms for household goods. Everything fully insured. Office, Main and Douglas, under Kansas National Bank.

Wait for Your Car at the

H. B. Allen Drug Store

The Corner Store, Except One—102 East Douglas.

Homeopathy Medicines

Our best shipment makes our stock fully complete. We are now ready to fulfill physicians' and family orders and solicit your orders by telephone, letter or in person. New Phone 216

--- \$2.00 ---

Will buy a pair of Good Gold Filling Frames with Best of Glasses, properly fitted to your eyes. The frames we guarantee for ten years.

PROF. SAMUELS, 153 North Main

Not Affected by the Weather

Proctor's Princess Flour is good today, tomorrow and all time.

"Peerless Princess Flour"

is unchangeable. There is that same goodness in every sack, that same high quality that has placed it beyond the standards. Good grocers sell it.

YOU WILL REALIZE THAT "THEY LIVE WELL WHO LIVE CLEANLY," IF YOU USE

SAPOLIO

consent of the parents was not required in this case.

GIVEN ANOTHER CHANCE.

Grace Myers of Zenda is Deserted by Her Husband. Grace Myers came to Wichita from Zenda last Saturday and being deserted by her husband, after roaming the streets for three days was picked up by the police and taken to headquarters. Yesterday afternoon she was given a hearing by the police judge, and as it was very apparent that her condition was but the result of circumstances she was not sent to any jail but was turned over to the police matron, who was instructed to procure for her quarters at the Kansas Home and assist her to obtain a situation.

OPEN AIR PERFORMANCE.

Sheriff Henry Schad Showed 'em How to Do It. Sheriff Henry Schad demonstrated his ideas on how to proceed the icy steps at the court house yesterday afternoon and fortunately escaped without serious injury. Those who witnessed his gymnastics declared that he displayed most remarkable agility during his last descent, and had it not been for one false step he would have landed on his feet and accomplished the act in safety.

ONE BOTTLE CURES

Resistive weakness of feet cured in a week by the use of Dr. Williams' Pink Pills. You may be suffering from the lack of vitality, but a permanent cure for the weakness of feet and nerves. At your druggist, or sent by mail for the price, \$1.00. Dr. Williams' Pink Pills, Harper, Kan.

THIS COUPON AND 15c

will entitle the holder to one 25c bottle of IVO Dentifrice at the



As a protection against consumption, it is proposed to inoculate every calf in Germany with specially prepared tuberculin bacilli, on the plan of vaccination, in order that the animal may not contract tuberculosis later.