

WAIVES TRIAL AND GIVES BAIL

W. W. Wilmerton Does Not Insist
Upon Hearing Now and Furnishes
\$5,000 Bond

IN LOONEY PISTOL DUEL

Latter Takes Change of Venue to Jus-
tice Cleland and Case is Aired at
Court House.

W. W. Wilmerton this morning waived a preliminary examination on the charge of assault with intent to commit murder, which grew out of the revolver duel on Third avenue, in which Wilmerton and John Looney were the principals. Wilmerton was held to the grand jury under \$5,000 bail, and furnished the same ball as he gave for his appearance for the preliminary hearing before Magistrate Elliott, his sureties being James McNamara and Hon. T. J. Medill.

In anticipation of a rather exciting hearing, a large crowd had gathered at the police station, and it was decided to hold the trial in the county court room. Accordingly the spectators and witnesses adjourned to the court room, and there was a general expression of disappointment when it was announced that the defendant had appeared at the police station and waived examination. Looney wanted to have his hearing started at once, and requested that the state's attorney use the same witnesses as had been called for the Wilmerton case. This, the state's attorney declined to do, stating that other witnesses would be used by the state, and that the hearing would not be started until this afternoon, as the case had been continued to 2 o'clock. Looney gave notice that he would ask for a change of venue to Justice J. H. Cleland this afternoon.

Afternoon Hearing On.
Looney's preliminary hearing on the charge of assault with intent to commit murder was brought up before Justice Cleland in the county court room this afternoon, the change of venue from Magistrate Elliott being made effective by agreement.

As at the morning hearing, there was a large crowd. State's Attorney Magill represented the state and C. J. Searle was present to look after the interests of Mr. Wilmerton, taking no part in the proceedings, however. J. T. Kenworthy appeared for Looney. The state asked for a continuance on the ground that Mr. Wilmerton would decline to testify at this time, but the defense demanded an immediate hearing, and Justice Cleland ruled that the proceedings should continue at once.

The First Witness.
The state then announced that its witnesses would be Mrs. C. E. Lutes, Oscar Wahlund, W. W. Wilmerton and M. M. Briggs. Mrs. Lutes was placed on the stand first. She said on direct examination that she was

in her apartments at 1813 1/2 Third avenue, on the afternoon of Feb. 22, and heard the first shot fired in the duel between Looney and Wilmerton. She ran to the front window and threw up the sash. Looney was standing across the street near a telephone pole and Wilmerton was on the sidewalk below the window in the act of aiming at him. A puff of smoke was to be seen near Looney from which witness judged that he had fired the first shot.

Looney and Wilmerton exchanged several shots, Mrs. Lutes said, each dodging behind a pole as the other aimed. Finally Looney started toward another pole farther west and Wilmerton started for the door of his office. As he did so Looney paused and fired the last shot of the duel. The cross examination of Mrs. Lutes was then taken up.

TAKING TESTIMONY AGAINST H. JONES

Jury Completed at Muscatine After 43
Veniremen Are Examined—Two
Oppose Death Penalty.

Muscatine, Iowa, March 5.—(Special.)—The taking of testimony in the trial of Harry Jones for the murder of Mr. and Mrs. William VanWinkle at Fairport was started here today in the presence of a crowd that filled the room of the district court.

The jury was completed yesterday afternoon after three days' work in which 43 men had been examined and the attorneys had exhausted all their peremptory challenges. The jury is composed of five farmers, five residents of Muscatine and two residents of small towns in the county. Two members expressed themselves as opposed to inflicting the death penalty for any offense, but were nevertheless accepted by the state.

PARTNERSHIP IS FORMED

New Firm Will Carry on Manufacture
of Peanut Butter.

Frank Bertelsen and F. J. Steele have engaged in a partnership for the purpose of carrying on the business of manufacturing the Crown brand of peanut butter. Mr. Bertelsen has been engaged in this business for about a year, but will now extend the field and put the business on a larger scale. At present the product is sold only in the three cities.

SOME SATURDAY SPECIALS.

At E. H. Clement's, 326 Twentieth
Street—Boys' Phones.

Fresh eggs, per dozen, 20 cents.
Yeast foam, 3 cents.
Ralston's breakfast food, per package, 12 1/2 cents.
Navel oranges, per dozen, 12 1/2 cents.
Whole wheat flour, per sack, 20 cents.
Six O'clock coffee, per pound, 18 cents.
English walnut meats, per pound, 39 cents.
Golden Star flour, one of the best northern flours, per sack, \$1.50.
Jelly, per glass, 7 cents.

ONE OF LARGEST

Masonic School of Instruction Just
Ended Here Had a Very Large
Attendance.

EIGHTY LODGES REPRESENTED

Visitors Included Many Grand Officers
—Closing Session is An En-
joyable One.

The Masonic school of instruction which came to a close last evening, proved one of the best and most largely attended of the four that were held this year. Fully 400 Masons registered for the instruction during the three days and all of them received their share of the instruction and pleasure from the gathering. Among the list of those present were the names of four of the grand officers, including the state grand master, Alexander Bell, the five members of the state board of examiners, nine district deputy grand masters, 21 grand lecturers, representatives from 61 lodges in Illinois and from 19 lodges outside of the state. There were 80 lodges of the order represented in all.

The Closing Session.

Last evening was devoted to work in the master mason degree and in a general review of the work of the first and second degree. Later refreshments and cigars were enjoyed, while several short talks were made by J. W. Houser, C. E. Grove and M. T. Stevens. Charles Martin, chairman of the board of examiners, also addressed the meeting on the value of the sessions. The refreshments and the entertainment of the evening were in charge of the entertainment committee from the "blue" lodges of this city, of which Harry Welch was chairman. The committee is deserving of considerable praise for the way in which they entertained the many visitors and caused them to leave the city with many expressions of satisfaction. There were 250 members of the order present last evening.

ACME OFFICE WILL BE LOCATED HERE

Captain D. W. Wisnerd Will Open
Headquarters for Excursion Busi-
ness in Rock Island April 15.

Captain D. W. Wisnerd, who has charge of the booking of the excursion steamers, W. W. and J. S., of the Acme packet line, will again have his headquarters in this city this year. Last year, it will be remembered, near the close of the season, his office was transferred from Rock Island to Quincy in order that he might be nearer the scene of the fall operation of the boats which is on the lower river. With the opening of the boating season on the upper river in view however, his office will be returned here, and he will again take up his headquarters at the packet landing

warehouse. He will probably open the office about April 15. During the following month, it is expected that the steamer W. W. will ply these waters and it will then move either up or down the river and allow the J. S. to be seen here during June. The W. W. is at present in winter quarters at the Kahke boat yards and the J. S. is doing an excellent business in the vicinity of New Orleans.

TAKES TWO MEN TO PENITENTIARY

Deputy Sheriff Bruner Delivers Henry
Van Lerberghe and John Stroth to
the Warden at Joliet.

Deputy Sheriff O. L. Bruner this morning went to Joliet to deliver two Rock Island county offenders to the warden of the Joliet penitentiary. The two prisoners are Henry Van Lerberghe, sentenced for larceny from the person, and Gottlieb Regur, alias John Lowe, alias John Stroth, sentenced for falsely representing himself as John Lowe and securing \$40 on a draft at the Postal Telegraph company. Both men were convicted and sentenced at the present term of the circuit court.

OBITUARY.

Mrs. George F. Kramer.

Mrs. George F. Kramer, 536 Fifteenth street, died at 10:45 this morning at St. Anthony's hospital, where she had been for the last month after undergoing an operation there on Feb. 1 for obstruction of the bowels. The first operation was not successful and another was attempted yesterday and Mrs. Kramer failed to rally from the effects.

Mrs. Kramer was born in this city June 27, 1850. Several years later her parents removed to Milan, where in 1875, she was united in marriage with Mr. Kramer. The following year, they returned to this city and had made their home here since. Mrs. Kramer is survived by her husband, three children, Mrs. Louis I. Siemon, Mrs. Nellie Krell, and Fred L. Kramer, two sisters, Mrs. Hannah Hammerly and Mrs. Sarah Smith, her stepmother, Mrs. Jane Christy, and two stepbrothers, Charles Christy of Milan and Samuel Christy of Des Moines. The funeral will be held from the home Sunday afternoon at 2 o'clock and the services will be in charge of Rock Island chapter No. 269 of the Order of the Eastern Star, of which Mrs. Kramer was a charter member, as well as one of its most prominent workers. Mrs. Kramer was also a member of the Loyal Americans of the Republic. Burial will take place at Chippianock cemetery.

Vestermarck.

Dorothy Alice Vestermarck, daughter of Mr. and Mrs. Nes P. Vestermarck, 3102 Eighteenth avenue, died yesterday noon from intestinal troubles. The little one was born Sept. 15, 1907. She is survived by her parents and four brothers. The funeral will be held from the South Park chapel tomorrow afternoon at 2 o'clock. Rev. W. G. Ogilvie will conduct the services. Burial will take place at Chippianock cemetery.

Ben Hershey Is Brought to Top

Boat Which Has Been on Bottom in
Government Harbor All Winter
Finally Rescued.

The tow boat Ben Hershey which has been exploring the bottom of the river in the government harbor below Davenport since December 29, at which time it sank, was raised today after considerable hard work. In some unexplained manner several large holes were torn in the hull of the boat and it sank, leaving its second deck several feet under water. Divers

IS GIVEN LAND BY GOVERNMENT

Modern Woodmen Gets Permission to
Use 600 Acres Near Sana-
torium in West.

MAY TRANSPLANT TIMBER

Grant is Valuable Chiefly Because of
Right to Build Fences Around
Water Supply.

The United States government has recognized the value of the fight which the Modern Woodmen have taken up against tuberculosis in a manner which is highly pleasing to those who have charge of the battle. The recognition comes in the shape of a grant of land of some 600 acres adjoining the Woodmen sanatorium, which is located near Colorado Springs in Colorado. While the society is not given the land outright, it is given the right to fence it in and to use the timber on it, but this is not its principal value.

The sanatorium is in a valley, and it gets its water supply from the mountain streams which flow down from the mountains on the west. The principal streams come from Cedar mountain and the government tract of 600 acres is on this mountain, and takes in the sources and nearly all of the beds of the streams. It is very important that the water supply of the sanatorium be of the purest kind, and the government recognized this fact in granting the rights to the 600 acres. By fencing it in, the streams will be kept absolutely free from the many cattle which roam the prairies in that region, and as they will be unable to contaminate them by wading in them, a constant supply of pure snow water from the mountains is assured.

Given Timber Rights.

The government has also granted to the society the right to take timber from the tract and transplant it on the sanatorium grounds, which is a valuable concession, as the Woodmen land is not well favored with trees, and many of them are desirable. The concessions have been made through the secretary of the interior.

BEN HERSHEY IS BROUGHT TO TOP

Boat Which Has Been on Bottom in
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McCabe's Specials for Saturday.

FRESH Cut Flowers, special for Saturday—Carnations, 33c dozen; Roses, 38c dozen; Tulips, 30c dozen; Daffodils, 40c dozen.

White cambric petticoats, 15 to 18-inch, tucked and embroidery trimmed flounce, values up to \$2.00, for Saturday selling, \$1.00.

Women's house dresses. The popular one-piece house dress, the practical garment for morning wear, good assortment of colors and sizes, Saturday, \$1.45.

Shirt waists. Women's colored work waists, made of daisy cloth, Saturday, all day, 37c.

Women's dress skirts. Black and colored dress skirts, made of panama, serge and fancy mixtures, \$5.00 values, Saturday for \$2.95.

10 a. m. Saturday, 450 yards Persian challies, quantity limited, per yard, 33c.

3 p. m. Saturday, 600 yards short lengths Toile du Nord dress gingham, 15c value, per yard 8c.

Saturday, all day, 20c cotton and linen Torchon laces, per yard, 8c.

Fancy Dresden and floral taffeta ribbons, values up to 45c, Saturday all day, per yard 25c.

Ladies' white hemstitched handkerchiefs, hand-embroidered initials, Saturday, all day, each 5c.

2 p. m., outline pillow tops, with floss to work, complete for 10c.

Tapestry pillow slips, finished with tassels, new designs, Saturday all day, each 50c.

Oriental striped pillow slips, Saturday each 25c.

Fresh strong moth balls, lb. 5c.

Pure castile soap, 1-lb. bar, 10c.

Belt buckles, assorted styles, choice Saturday, 25c.

New belting, all latest shades, special for Saturday, per inch, 1c.

White and marbled table-oilcloth, slightly imperfect, per yard, 10c.

Mill lengths flat-iron checked apron gingham, per yard, 5c.

Women's \$2.00 patent leather and vici shoes—not all sizes; find your size and save 1.00—all day, pr. \$2.

Two o'clock, till closing time, misses' double-knee fast black hose, according to size per pr. 8, 7c, 6c.

At 3 o'clock, fine cambric muslin, 31 inches wide, per yard 5c.

58-inch full bleached table damask, Saturday, per yard, 19c.

30-inch fancy drawn-work center pieces, linen department, Saturday, each 45c.

Japanned steel mail boxes, worth 50c, special Saturday 25c.

Pure white handled tea cups, with saucers, special set of six cups and six saucers, only 29c.

Colonial glass water tumblers, optic pattern, Saturday, special price, set of six for 19c.

Preston carpet beaters, heavy braided wire, worth 19c, special Saturday 9c.

Solid oak chiffoniers, 5 large drawers with locks and brass trimmings, \$4.85.

Bamboo music stands, 38 in. high, 4 shelves, 85c.

2 1/2 x 5 ft. Smyrna rugs, all-wool and reversible, \$1.45.

MUSICAL PROGRAM IN THE EVENING

have been at work during the last week repairing the hull and when it was made watertight three powerful pumps took the water out and brought the boat to the surface. The boat is the property of the Van Sant Navigation company and was chartered by Captain A. O. Day.

Spring O'coats

The Spring Overcoats we are showing win admiring approval from men who are the most critical in dress. As the good dresser is not a guesser—he knows.

Semi-box Coats, half-form fitting, cut not too short, but a just right length; the longer Chesterfield and the Auto styles; some are silk-lined; all are beauties.

Fabrics are worsteds, chevots, covers, and unfinished worsteds, in greens, tans, grey, and black. H. S. & M. and Clothcraft styles predominate. Prices range

**\$10, \$15, \$25
to \$32**

Prices always as low as quality will admit—but we never allow a price to touch a point where quality ceases.



**New Spring Styles
in Hats, Top Coats
and Cravenettes.**

Rain Coats

Should it rain every day—or even if it never rains—you can find splendid use for one of these coats, because they are top coats as well. Unlike the average "raincoats," our garments are not made of dreary fabrics, neither are they fashioned along dismal lines they reveal a style and quality very unlike others of their kind.

Shown in varied models and fabrics to suit all tastes and at prices neither too high nor too low to obtain quality.

**\$10, \$15, \$18
to \$25**

We have many surprises in store for the man who affects to believe a raincoat cannot be presentable as well as dependable.



**New Spring Styles
in Hats, Top Coats
and Cravenettes.**

Spring Hats

Some one said: "Put a good hat on a man's head, a good pair of shoes on his feet, and it doesn't make any difference about the balance of his dress."

Be that as it may; a man's hat is the most conspicuous feature of his entire outfit.

The spring styles are ready. Hats for men of all ages. The very smartest, swell, chic styles for young men, middle aged or older men, are here in all the various blocks and colorings. The choice selections of such celebrated makers as Knapp-Felt, Stetson, and others.

1.00 to 5.00

We think we are safe in saying that there is not another such showing of correct hats in this vicinity.