

FAMOUS INSURANCE CASE

Jury in the Hillmon Litigation at Topeka Again Disagrees.

PART OF KANSAS' HISTORY INVOLVED

Sixteen Years in Court, and on This, the Fourth Trial, Seven Jurors Were for the Plaintiff and Five for the Defendants.

TOPEKA, Kan., March 23.—(Special Telegram.)—The jury which has been out since Tuesday in the celebrated Hillmon insurance case in the United States circuit court in this city was dismissed by Judge Thomas today because of failure to agree upon a verdict. The first ballot taken Tuesday showed the jury as standing seven to five in Mrs. Hillmon's favor. There were many variations from these figures at the subsequent ballots, but since yesterday morning but one jurymen, Joseph Young, has stood favorable to the defendants, and his opposition to the majority was so sturdy that a disagreement was necessary. The disagreement was a surprise, as a verdict for the plaintiff was looked for during the last few days.

This is the third time the juries have disagreed. At the third trial the plaintiff secured a verdict, but a new trial was granted to admit important evidence before excluded. For sixteen years Mrs. Hillmon has been endeavoring to collect the sum of \$25,000 which she alleges to be due her as the amount of the insurance policies issued upon the life of her husband by the Mutual Life Insurance company of New York, the Connecticut Mutual Life Insurance company and the New York Life Insurance company, and made payable by the death of John W. Hillmon, alleged to have occurred on March 17, 1879. It was only a short time after his marriage that Hillmon made application for insurance upon his life to the extent of \$50,000.

VOUCHED FOR BY BALDWIN. He was introduced to the various life insurance agents by his old friend Levi Baldwin, and who was known as a prosperous cattleman and who introduced Hillmon as a well-to-do ranchman. Baldwin was a cousin of the Miss Quinn whom Hillmon had married. As a result of his numerous applications Hillmon succeeded in obtaining insurance upon his life to the extent of \$25,000, and the policies named his wife as the beneficiary.

It was proven at the trial that Baldwin had paid the premiums on these policies, as Hillmon at no time had the amount exceeding \$50 a month and the premiums on the policies amounted to over \$600 a year. In February, 1879, Hillmon and a man named John H. Brown, who was known as a conspirator, together with a third person, whom the insurance companies asserted was one Frederick Adolph Walters, left Hillmon for the west, ostensibly for the purpose of locating a ranch.

On the 17th of March, 1879, upon a little stream called Elm creek, a man met his death by means of a gun shot in the head, and the identity of that person has been the subject of this long litigation. The body was taken to Lawrence, where for several days it was publicly exhibited to the view of hundreds of people who had known Hillmon during his lifetime. Opinion was given that the body was that of Lawrence, where for several days it was publicly exhibited to the view of hundreds of people who had known Hillmon during his lifetime. The coroner of Douglas county held a second inquest over it and the verdict was that it was not the body of Hillmon, but that of another man who had met his death feloniously at the hands of John H. Brown. As soon as the verdict was made public Brown left the city and escaped to the wilds of central Missouri. A warrant was issued for his arrest, but he was not apprehended.

During the trial the plaintiff brought numerous witnesses who swear positively that the body was that of John W. Hillmon, while the defendants have brought a corresponding number who swear just as positively that it was the body of Frederick Adolph Walters, and among the latter are the parents of Walters and about twenty of his former friends and acquaintances from his old home at Port Madison, Ia.

TO HARVEST WYOMING'S WOOL CROP.

Preparations Completed for the Work at Casper and Vicinity.

CASPER, Wyo., March 23.—(Special Telegram.)—At the wool growers' meeting held here yesterday the following schedule of prices for shearing the coming season were adopted: Sheep, 7 cents per head; bucks, 10 cents; shearers to board themselves.

It is estimated that 450,000 head of sheep will be shorn at Casper, 60,000 head at Hudson, 40,000 head at Lost Cabin and 30,000 head at Johnson. This wool will all be marketed at Casper. Five shearing pens will be operated at Casper alone this season. The steam shearing plant has been leased to an English firm and from the start will be run at its full capacity. Work will commence about April 6, but if the good weather continues work will start at one of the pens at once. So far the winter has been on the range amounts to nothing. The clip of wool will be three to four pounds per head of sheep. Several loads of stock have been changed from \$2.50 per head, as against \$1.75 offered for the same class of sheep last fall.

CALLED HIM A BOUND AND A LIAR.

Free Fight Narrowly Averted in the Jefferson City, Mo., March 23.—The house came near closing its session with a set-to between Mr. Spencer of St. Louis and Mr. Davidson of Marion, one a republican and the other a democrat. They engaged in a wordy altercation over the resolution to adjourn at 3 o'clock, and in the course of the argument Mr. Spencer insinuated that Mr. Davidson was a liar. This Mr. Davidson resented, and he called Mr. Spencer "you know you are lying. Oh, you may shut your mouth."

Spencer was at a white heat, and the sergeant-at-arms and a half dozen members ran across the floor to separate the combatants. After the objectionable words had been taken down oil was poured on the troubled waters and the words were retraced and peace regained.

Wealth of Four Mile Gold Camp.

RAWLINS, Wyo., March 23.—(Special Telegram.)—Four mile, the new gold placer camp, fifty miles south, just across the border in Colorado, is rapidly forging to the front. Only about \$100,000 worth of gold has been made payable to the Gillespie of Denver. This morning J. B. Adams of Omaha left for the deal for some 1,000 acres of the land in the Dry Gulch district. The land sold runs 30 cents and upwards in gold per cubic yard and the purchase price runs up six figures. The purchasers contemplate the construction of a dam which will divert the water of Snake river, which has already been surveyed, and will visit that section to make arrangements to begin work at the earliest possible date. The cost of the dam is estimated at nearly \$100,000.

With the large number of capitalists and miners interested in the Four Mile placer field it is bound to be a busy camp this season, affording employment to hundreds of men and resulting in a profitable harvest of the yellow metal.

Debt Attorney Wants More Time to Spout.

WASHINGTON, March 23.—Attorney Gregory of Chicago, one of Mr. Debs' counsel, in his case now before the supreme court of the United States, and Mr. Edwin Walker, special counsel for the government, were at the Department of Justice today. Mr. Gregory sought Attorney General Olney's consent to increasing from four to six hours the time to be allowed to each side in the Debs argument, which will begin next Monday. The attorney general, it is said, will not ask the court to make the extension, but will not interpose an objection in case the court is disposed to grant the request. Mr. Olney, however, is of the opinion that four hours is quite sufficient in which to present all legitimate arguments on either side.

Run the Robbers Off with Stoons.

BALTIMORE, March 23.—Walter B. Swindell of the firm of Swindell Bros., glass manufacturers, who was on his way to the factory, was held up near the city, and was held on Russell street this afternoon by two highwaymen, who commanded him to

hold up his hands. Instead of obeying them he threw up his arms and knocked the pistol up. A terrific struggle ensued, in which Swindell was severely injured by the robbers, one bullet knocking Swindell's hat off his head and another striking his hand and hurled rocks at his assailants. They finally jumped into a buggy and drove off.

FATHER F. LA LUMIERE IS DEAD.

Distinguished Jesuit Priest of Cincinnati Dies of Bright's Disease. CINCINNATI, March 23.—Father Stanislaus F. La Lumiere, a distinguished Jesuit, died this morning of Bright's disease, aged 73 years. He was born of French parents in Vincennes, Ind., studied law and served as clerk of the court in St. Louis before entering the priesthood. He was located for many years in Milwaukee, where he was instrumental in the building of St. Gall's church and Marquette college. He came here in 1859, where he has been especially noted for his ministrations to prisoners in jail and to the unfortunate classes of society.

Major J. D. Cook Dead.

CHARLESTOWN, W. Va., March 23.—Major J. D. Cook, reporter of the court of appeals, died here today of pneumonia, aged 72 years. He was a native of New York, but served in the confederate army as adjutant of the Twenty-fourth North Carolina regiment, and was officially complimented for gallant conduct at Antietam and Fredericksburg, in which latter engagement he was severely wounded.

Death of Lord Clarence Paget.

LONDON, March 23.—Lord Clarence E. Paget, G. C. B., is dead. He was born in 1811, and married in 1852 Martha Stuart, daughter of Admiral Sir Robert Walker of the navy.

John Koster is Dead.

NEW YORK, March 23.—John Koster of the firm of Koster, Blal & Co., music hall proprietors, died today, aged 51.

RELIEF FOR THE STRICKEN FAMILIES

Governor of Wyoming Makes an Appeal for Money and Provisions.

CHEYENNE, March 23.—(Special Telegram.)—Governor Richards today issued an address to the people of Wyoming, soliciting contributions to aid the destitute families of the unfortunate men who were killed in the mine disaster at Almy. Newell Beeman, manager of the mine, telegraphs the governor that money, provisions and clothing are needed. General Manager Dickinson of the Union Pacific has informed the mayors of the several towns along the line that from transportation will be furnished for all contributions.

Mayor Merrill of Cheyenne this afternoon appointed a committee of three prominent business men to solicit donations in this emergency. A benefit will be given next week by the church workers of the city, the proceeds to be donated to the relief fund. Manager Beeman requests that all cash contributions be sent to North & Stone, bankers at Evanston. Clothing and provisions should be forwarded to the relief committee at Almy.

SEARCHING PARTIES IN THE ARMY MINE HAVE RECOVERED all the bodies except that of Walter Miller. Of the number killed thirty-two were members of the Mormon church. President Joseph Smith, Elder Seymour B. Young and others will arrive here tomorrow from Salt Lake to attend the funeral.

CAN BE NATURALIZED BY MARRIAGE.

Judge Hicks Makes an Important Decision Respecting Citizenship.

CLEVELAND, March 23.—Judge Augustus J. Hicks of the United States circuit court today handed down an important decision in reference to the question of whether a foreign born woman becomes a citizen of the United States when she marries a citizen of this country.

The decision was rendered on an application filed by Minnie R. Whitehead of this city for admission to citizenship in the United States of America. Mrs. Whitehead came to this country in 1867 and later married Thomas R. Whitehead, a native of the United States. Judge Hicks holds that Mrs. Whitehead became a citizen of the United States by her marriage to Thomas R. Whitehead, a citizen thereof, and needs no certificate of naturalization from his court or any other authority to entitle her to the privileges and immunities of such citizenship conferred by United States Judge Hammond, sitting with Judge Hicks, concurred in this opinion.

DIVORCED FROM COLONEL BENHAM.

Wife of an Army Officer Formerly of Omaha Secures a Separation.

CLEVELAND, March 23.—Judge Hutchins of the common pleas court today granted a divorce to Mrs. Kate F. Benham from Colonel Daniel W. Benham of the United States army, who is at present stationed at Little Rock, Ark. Mrs. Benham in her petition alleged extreme cruelty, drunkenness and gross neglect of duty. She was given the custody of her three children and awarded \$150 per month alimony. The couple are socially prominent in this city.

Bole for Eight Years Before He Was Caught.

BALTIMORE, March 23.—Sydney W. Sprague, 44 years of age, was arrested last night charged with embezzling between \$25,000 and \$30,000 in money from the Freedland Loomis company of this city. Mr. Sprague has been in the employ of that company twenty-three years as clerk and cashier. By clever manipulation of the accounts, it is alleged, Sprague had been taking \$10 and \$20 at a time for the past eight years. Last Tuesday, when the amount of the defalcation was known, he was charged with the crime, and made a partial confession and refunded \$5,000.

Getting Butter from Whey.

ITHACA, N. Y., March 23.—The agricultural department of Cornell claims to have made an important discovery which will prove of great economic value to farmers. It is found that butter fat can be extracted from whey by raising the temperature. The department has now prepared a bulletin explaining the process. It is estimated that the use of this process will save the agricultural interests of New York State nearly \$1,000,000 per year, or to put it in another way, the entire expense of making cheese would be covered by what has heretofore been a waste.

Will Only Have Seven on the Grand Jury.

SALT LAKE, March 23.—The constitutional convention spent the afternoon in discussion of sections 10, 11 and 12 of the report on preamble and declaration of rights. Section 10 referring to jurors, seven on a grand jury, and that five of them shall be sworn in or to be sworn in the last day that propositions for insertion in the constitution can be received, and that the act introducing them some positive results on the work in hand.

Closed the Genuine Silver.

BALTIMORE, Md., March 23.—The finest counterfeit quarter dollar ever made was discovered here today. It is of the series of 1883 and is composed largely of silver. This is one of the rare instances in which real silver has been used in counterfeiting. The counterfeit was made at the counterfeiter's of the legal weight can be made at a handsome profit.

Thirty-Seven Years in the Consular Service.

SAN FRANCISCO, March 23.—Dennis Donahue, who for several years past has been British consul at this port, today tendered his resignation to the home government. He intends to remain in California. Consul Donahue will attain his 80th year within a few days of retiring from the consular service. Mr. Donahue has represented the British government at New Orleans, Baltimore, Buffalo, N. Y.; Puerto Rico, Baltimore and San Francisco.

Disputed Cutter Came on a Visit.

NEW YORK, March 23.—Frank Van Reth, one of the excluded diamond cutters who came over on the Westernland, succeeded in getting a rehearing today at Ellis Island in order to be allowed to enter the most wealthy diamond cutter in the world. He claimed to be worth \$100,000, and declared that he came over to visit Mr. Cotterman, one of the Cincinnati firm who are supposed to have contracted for the men. Details are being given today.

Are led for Election Crookedness.

NEW YORK, March 23.—During the last night twelve men were arrested and taken to police headquarters on warrants issued for the indictments found by the extraordinary grand jury and referred to Justice Ingraham in the court of order and terminer yesterday. The men arrested were all election inspectors, and they are being held in the city jail this morning. Up to 4 p. m. the total number arrested was fifteen.

Where Did You Get that Hat? Browning-King Here, Tell You That.

"The Stetson Special" "Your Money Back"

We are sole agents for this justly celebrated hat—the best hat on the face of the earth—made popular by the ever-increasing goodness of the Stetson Hats, of which we sell more than all the hat stores sell of every make known to man. It was our regular \$5 hat last year, we will sell it this year for \$4.50.

Advertisement for Spring 1895 Browning-King & Co's Wheel of Fashion of Fashion. Features various hat styles like Browning-King Special, Celebrated Knox Block, Spring Yacht Caps, and Browning-King Leader with prices ranging from \$2.00 to \$5.00.

OFFERED AT THE THEATERS.

Bright Promise for a Host of Good Things Theatrically.

"1492," the big operatic extravaganza which all New York flocked to see during its stay in that city, and which even cultured Bostonians found an irresistible attraction for a greater length of time than they have ever enjoyed a show which is at once a home novelty and its way and selecting a company which has the requisite talent and numbers to present every "feature" of the huge entertainment in its best form. The principal artists in the Surprise Party include: Mark Smith, Yolande Wallace, Will H. Sloane, Carrie Hehr, Ross Snow, Gertrude Burdette, George Faxon, Mac Osborn, Daisy Thompson, Hugo Gruber, William McMahan, Sadie Evans, William Carleton and a host of other clever burlesquers. Among the principal specialty performers are the European eccentricities, Pusey and Roadway, and Fleurette, a dancer who is said to give an astonishing revelation of the perfection which may be attained in the tetrapachorian art. The book of "1492" was written by R. A. Barnett and the music composed by Carl Pfeuffer. The staging was directed by Mr. Rice and is so numerous in scenic, mechanical devices and electrical effects that a small army of workmen is carried by the company for the sake of getting things in order for each performance. The story of the piece has a historical flavor which centers in the discovery of America, although the subject has been handled in such a way that the most learned student will find his knowledge of the details of that great event somewhat muddled after witnessing a production of the piece. The first act introduces the audience to the king and queen of Spain and their family. The royal group are in very straitened circumstances, which necessitates that something be done at once to replenish the treasury. Columbus has long since developed a mania for discovering things and he is finally commissioned to go forth and explore America. The Spanish grandees accompany him and upon arrival in this country the first thing they discover is New York City as it stands today, and straightway they take themselves to the Madison Square roof garden. Their unfamiliarity with American ways leads to all kinds of complications, and the tribulations pile up so thick that the queen is obliged to open a laundry, with herself as washwoman and the royal daughters as laundresses, etc. The last act finds them all back in Spain, with the financial obligations of the family wiped out by the gallant Columbus, who has brought over a few shiploads of American gold; he also establishes a new page in history by marrying the infant Catalina. The story of "1492" is told in a

strictly up-to-date style, historical accuracy being put aside whenever the authors saw an opening for a line or situation that adds to the general good humor which prevails from the time the curtain is rung up until it descends. The chorus is a large one, and like all of Mr. Rice's, is composed of exceedingly graceful and pretty girls, whose brilliant costuming harmonizes pleasantly with the glittering scenery which has made "1492" the subject of so much comment. The production is interwoven with beautiful marches, ballets, bright music and all that goes to make burlesque attractive. A prominent feature of the entertainment is a series of stereoscopic views, showing the voyage of Columbus which opens at the Boyer on Sunday home for the great explorer. The importance of the music if "1492" necessitates the company carrying a complete orchestra of soloists.

Hoyt's comedy, "A Temperance Town," which pleased so many of our theatergoers a short time ago, will pay Omaha a short visit on its return from the coast, on Thursday evening, March 25. The piece left such a good impression, there is no use in going into details concerning the prospective engagement. In this comedy Mr. Hoyt aims higher than Hopper, besides satirizing the hypocrisies and follies and farce comedy of prohibition sentiment in small towns in New England, he has introduced stronger dramatic interest than usual by weaving paths into the fabric of the play. The piece will be interpreted by the following cast: Mr. L. R. Stockwell, Mr. W. H. Currie, Mr. Leo Harrison, Mr. W. H. Cullington, Mr. George Ober, Mr. Frank Russell, Mr. R. J. Dillon, Mr. Claude Brooke, Mr. Frank A. Lyon, Mr. John Holland, Mr. A. Meszanzich, Willie Lewis, Miss Anna Robinson, Miss Marie Lart, Miss Maude Ayers, Miss Gertrude Dawes and Miss Alice Warner. Mr. Hoyt will accompany the piece to this city and personally superintend the production.

That well known exponent of mirth and melody, DeWolf Hopper, with the assistance of a coterie of clever comedians and singers and a brilliant stage production of comic opera, will appear in a new piece entitled "The Great Contender" at the Grand Opera House. The plot of the opera is simple, and the libretto is light and attractive. The story is told in a simple, but substantial. The main thing will be acting. Olga Netherstone's new play is a superb version of Prosper Merimee's story of Carmen, from which the book of the opera was written. "Has it ever occurred to you how alike in some respects are Trilby and Camille?" says Miss Netherstone. "Both love fondly and both sacrifice their lives on the altar of duty. Only in Camille's case a father comes between the fond lovers; in Trilby's it is a mother. But then Camille's love is deeper, more firmly rooted, more assured than was Trilby's for Little Billie."

It is not a well known fact that Sardou is an occultist. Yet this is the case. Sardou believes firmly that all his best plays—at least the main ideas of his best plays—were given to him by his sister. He has never provided a name for any of his Bernhardt plays that did not end with the letter "a," since "Fedora," "Gianna," his latest work, was first called "La Duchesse d'Athens," but he

changed the title a few days before the production. Your genius, even your admirably balanced mind, is sometimes influenced by superstition.

When Frank Mayo's adaptation of Mark Twain's story, "Puddin' Head Wilson," is produced at the Herald Square, New York, on April 15, the cast will include Mary Shaw, Joseph B. Whiting, E. J. Henley, E. L. Daventure, Ignacio Martinetti, Odell Williams, George Fawcett, J. C. Padgett, John E. Ince and Frank Mayo.

The Julia Marlowe-Tabor \$25,000 damage suit against the Indianapolis Journal has had a setback, for Judge Baker struck out of the complaint the three letters which Mrs. Tabor's lawyers had written to the Journal demanding retractions. The judge also struck out the interrogatories of Mrs. Tabor's lawyer which designed to make the Journal give the names of the actors in Mrs. Tabor's company that had been alluded to in the alleged libel as poor performers. This put Mrs. Tabor in the position of having to prove that her supporting company was not mediocre before she can claim damages.

MORAL REFORM.

OMAHA, March 23.—To the Editor of The Bee: In a recent issue you called attention to the fact that the Massachusetts legislature had defeated woman suffrage. Can you find room for the statement that the same body refused to raise the age of protection for girls from 15 to 18 years. Men who believe that the virtue of a child should be depended upon to block legislation favoring the enfranchisement of women. Well they know that when the women of this nation secure representation in government legislative enactments in the interests of woman reform will not be put aside to the convenience of the baser sort. The raising of the age of protection for girls to 18 years in Wyoming and Colorado, the only states where the interests of women are represented in the legislature, proves this.

VIOLA KAUFMAN.

University Extension Lectures. The university extension course of lectures which is being given by Prof. M. C. B. of the University of Iowa, will be completed this week. The third lecture will be delivered Monday evening, and the fourth Tuesday evening, at the Woman's club. The lectures already given have proved to be so popular that several general lectures have been arranged for on the topic "Microbes," for Tuesday afternoon at 4 p. m. The same subject, an extra document is held out to the children in the higher grades of the public schools to attend this lecture, which is said to be both entertaining and instructive.

Organized Check Forgers at Work.

HUNTINGTON, W. Va., March 23.—Check forgers have been working in this city heavily for the past three days. J. W. Howard, who claims to be from Chicago, has been arrested and bound over to await the action of the grand jury. J. W. Dunlap, a stranger, also passed several forged checks in the city last evening and this morning, on the firm of Crane & Co., timber men of Cincinnati. There seems to be an organized band of them.

WESTERN PENSIONERS.

Veterans of the Rebellion Remembered by the General Government.

WASHINGTON, March 23.—(Special.)—Pensions granted, issue of March 9, 1895: Nebraska: Original—John R. Musick, Edgar Clay, Reelsota—Levi P. Perkins, Omaha; Douglas: Francis M. Sageser, Bassett, Rock; Original widows, etc.—Mary Parks, Ord, Valley; Loretta Ault, Plattsmouth, Cass. Iowa: Increase—Lewis Painter, Belle Plaine, Benton; Edward Smith, Brownville, Mitchell; Robert T. Robinson, Northfield, Des Moines. Reissue—John E. Wall, Menard, Guthrie. South Dakota: Reissue—Marshall V. Colt, Madison, Lake; Owen N. Collins, Plankton, Aurora.

Pensions granted, issue of March 11, 1895.

Nebraska: Original—James Peden, Bartlett; William V. Bailey, Cottonwood Springs, Lincoln; John C. Cottonwood, Fullerton, Nance; J. R. Page, Decatur, Douglas; Lewis Hill, Falls City, Richardson. Increase—John E. Charlier, Maywood, Frontier. Reissue—Hanson W. Reid, Gordon, Sheridan. Iowa: Original—James E. Merrill, Sheldon; O'Brien; James E. Hallinger, Woodbine, Harrison; James P. Read, Oskaloosa, Mahaska; Leonard Bates, Stacyville, Mitchell. Supplemental—George Wolf, Walkerville, Page. Renewal—James G. Smith, Estherville, Emmett. Increase—Silo Matherly, Sidney, Fremont; Benjamin Nashua, Chicago, Boone. Original widows: Polk City, Polk; Reissue—Lafayette Mullins, Atlantic, Cass; John Wilcox, Nashville, Christian. Original widows: Nancy Ann Farcher, Nodaway, Adams; Phylancy Roberts, Carlin, Tama.

Original—Osmer H. Parker, Brookings, Brookings.

North Dakota: Original—Frank Viola, Grand Forks, Grand Forks. Original widows, etc.—Rachel B. Owen, Bismarck, Burleigh. Colorado: Original—David W. Tibbitts, Walden, Larimer; John H. Skilman, Denver, Arapahoe; William H. Trimble, alias Paul, a stranger, also passed several forged checks in the city last evening and this morning, on the firm of Crane & Co., timber men of Cincinnati. There seems to be an organized band of them.

Crusier Chicago Off New York Harbor.

NEW YORK, March 23.—The United States cruiser Chicago, Captain Mahan, was started at the Highlands at 4:30 this afternoon. She is returning from the Mediterranean via Bermuda, to the Brooklyn navy yard, where she will be fitted with more powerful engines.

DEED.

ANDERS—August, aged 27 years, 10 months, son of Mr. and Mrs. Gottlieb Anders, March 23, 1895, at family residence, 1312 North Eighteenth street. Funeral notice later.