

REPLY TO LAWYER THURSTON.

The Relations of Omaha to the Union Pacific Railroad.

A TENDERFOOT GOVERNMENT DIRECTOR.

A Protest Against Transferring the Deeds to Depot Grounds and Bonds Before the Road Raises the Embargo.

OMAHA, Jan. 2.—To the Editor of THE BEE: You have given Mr. Thurston a hearing in your columns. I think the other side of the case should be stated.

The action of the Union Pacific company in attempting, in violation of a written contract signed by its president, by authority of its board of directors, May 1, 1889, to exclude the Milwaukee road from its bridge and to prevent its trains and cars from running into Omaha and delivering passengers and freight without transfer in Council Bluffs, is the most important railway event which has occurred to Omaha since the decision of the so-called termination case.

Presumably, this contract was approved, before execution, by the solicitors and counsel of the Union Pacific company, including Judge Dillon. If it is an illegal contract (which seems to have been discovered by a government director since Mr. Gould has recovered possession of the road), the law provides a plain way by which it may be set aside.

To set aside contracts is the province of the courts. In this case the Union Pacific has taken that question into its own hands, declaring the contract void, and by force and in violation of an injunction issued by the state court, has torn up its tracks and locked its switches, practically to enforce the policy pursued under Sidney Dillon for twenty-five years, to force the Union Pacific business onto the Iowa and Rock Island roads.

This lawless proceeding is resorted to to prevent precisely what the company, through its Union depot organization, and its guarantors and those of the Chicago, Burlington and Quincy railroad have contracted with the people of Omaha to allow, the consideration for which is \$200,000 in bonds, to be transferred to the new station. Omaha cared little for the new station, but the chief consideration of the issue and delivery of those bonds was the delivery of the Union Pacific not only to allow all the Iowa roads to cross the bridge with their own trains and cars and motive power, but to procure the occupancy of the bridge, as the Union depot now in course of construction.

The contract with Omaha, when the bonds shall have been delivered, to the Rock Island and Denver, will be the same, the contract to allow the Iowa roads to cross to Omaha is still in the future, yet to be performed.

Judging by the action of the Union Pacific in respect of the Milwaukee, what prospect have the people of Omaha of ever seeing the Iowa roads cross if the Union Pacific proposes to be its own judge of the legality of the contracts it enters into?

It seems odd that a government director, who sits in three when the most of the Milwaukee was entered into, as late as December 24th (only a day or two before the passenger trains of the Milwaukee were refused access to the bridge), should have been moved to write an elaborate letter to the president of the Union Pacific questioning the legality of this contract.

In all probability that letter was drawn by the Union Pacific people and the subservient government director signed it at dictation. In fact and in truth, the letter was drawn on which to base action; a device to sugar-coat the utter lack of good faith in the transaction.

A people of Omaha and Lincoln are vitally interested in the new Rock Island line, which, for its transit from Council Bluffs to Omaha and South Omaha and Council Bluffs, is a matter of the highest importance. The effect of this transaction is to destroy the contract between Omaha and Lincoln. Instead of going into effect January 1st, it waits the tedious determination of the legal question in the federal courts, unless the injunction shall prove effective.

Of what value are the protestations of Judge Dillon as to the contract with Thurston, to the effect that the Union Pacific will keep its contract with Omaha. It cannot keep it if its position in respect to the Milwaukee is correct. Nothing is Judge Dillon the man who dictates whether contracts shall be kept or broken, since Mr. Gould has resumed his interest in the Union Pacific.

When did Judge Dillon discover the illegality of this contract? How did he advise Mr. Adams when Mr. Adams appended his signature?

The lesson of this business is that no contract is to be kept with anybody when it is unenforceable with the interest of the Union Pacific and the question of the new station is to be taken up to that fact the better it will be for them.

The people are blantly told that Mr. Bond, acting on behalf of the Union Pacific, is ready to make another contract. What is the use of making contracts if their legality is to be decided in the manner applied to the present Milwaukee contract? For ten years of litigation in the courts to settle the question whether contracts of this character may be watonly and recklessly cast aside when their effect reaches communities like Omaha and Lincoln and the whole of the state of Nebraska.

Contracts between the Rock Island and the Union Pacific for running privileges to the Rock Island are said to have existed for several years, covering Union Pacific track between Kansas City and Topeka and between Lyman and Denver, and also local tracks in Kansas, and the Union Pacific is said at the present time, to be negotiating to be running over Rock Island track in Kansas.

The Milwaukee contract in terms is not a contract for running privileges, but simply a contract for the use of the bridge and the use of motive power and trains, depositing its own money in Omaha and South Omaha on bonds of its own, and the contract with the Union Pacific extends to the different warehouses and houses of business. Under the terms of the Milwaukee contract the Union Pacific is not to be allowed to transfer the Milwaukee and transacting all its terminal business, and it pays the full value of the use of the Union Pacific tracks and bridge for the purpose of depositing its freight and passenger business on the west side of the Missouri river, and thus avoiding the inconvenience, annoyance and loss of the Iowa transfer.

UNION PACIFIC RETRENCHMENT

It is About to Make its Appearance all Along the Line.

U. P. AND B. & M. DIVORCED AT LINCOLN.

Rumors Regarding the Coming and Going of Union Pacific Officials—The Burlington and Deadwood.

Consternation was created among the army of clerks in the Union Pacific headquarters yesterday morning by the circulation of a report that there is very soon to be a radical reduction of salaries of clerical forces all over the line.

The first step toward carrying out this order has already been taken. All of the eastern agents of the Union Pacific, and there is a large number of them, have had their salaries reduced, some of them very radically. This was noticeably true in the case of the company's general agent at New York, who had his salary reduced 50 per cent.

The order has been practically issued for a reduction in wages of clerks and agents amounting to from 15 to 25 per cent. While some of the titled salary drawers are in a position perhaps to meet such a reduction as is proposed, it would be rough on the head-quarters force, most of whom are not getting an average of more than \$60 per month.

Mr. Resseguie's Retirement. The report of the retirement of General Manager Resseguie of the Mountain division of the Union Pacific is neither denied nor affirmed at headquarters, although it has been generally understood that the retirement of General Manager Mook of the Colorado & Fort Worth division would be followed by a dropping out of the old general managers at the various divisions. Mr. Resseguie, late general superintendent of the Rio Grande Western, is mentioned as Resseguie's successor with the title probably of division superintendent.

Bancroft is considered a first-class railroad man. He left the Rio Grande because of a failure to agree with President Moffatt. "He was a big job," says a prominent official who takes Resseguie's place, as the mountain division of the Union Pacific is the hardest section of road in the country to manage."

The Union Pacific has withdrawn from the lease by which it leased the Burlington passenger depot in Lincoln and is now running its trains into the old depot. No explanation has been given for the change. It was understood that the Union Pacific and Rock Island were to join in a union depot at the capital but the recent abrogation of contracts for bridge and terminal work by the Rock Island has indefinitely postponed all plans for such a union depot. In the meantime the Union Pacific will use its own local depot at Lincoln, which is a mere shed.

Getting Into Deadwood. The Burlington has completed four tunnels on its Black Hills extension, one of them 1,155 feet in length, and is now within twenty-four miles of Deadwood with plain grading and track work ahead. It is expected to have the line completed and opened by February 1st.

Notes and Personal. A. W. Putnam, ex-night agent Whitney's office has returned from Boston. The Burlington has stopped work for the winter on its extension west of Newcastle. A rate of one and one-third fares for the round trip has been authorized by the board of directors of the Union Pacific on Thursday next.

General Freight Agent Whitney and Assistant General Traffic Manager Monroe, of the Union Pacific, "saw" out on the line in a private car. Colds are frequently the result of derangement of the stomach and of a low condition of the system generally. As a corrective and strengthener of the system, Ayer's pills are invaluable, their use being always attended with marvellous benefit.

For Derangement of the Brain Use Horsford's Acid Phosphate. Dr. D. P. Boulter, Augusta, Me., says: "In functional derangements of the brain and in nervous debility, I have prescribed it with gratifying results."

Don't Forget It. The great auction sale of city lots takes place at Anasas Harbor, Tex., January 7 and 8.

ORDAINED IN OMAHA. Father Krafts, the Victim of the Indian Assault, Known in This City. Rev. Father Krafts, who was dangerously stabbed in the fight on Porcupine creek, between the Sioux and the Seventh cavalry, was ordained in this city in the year 1880. He had been educated for the Indian mission in St. Meinrad's college, conducted by the Benedictine order in Indiana. Shortly after he left the college he came to this city, and was ordained by Bishop Doane, but a short time previously he had been ordained by the bishop of Dakota. The ordination took place during holy week, the ceremony being performed by the bishop of Dakota, who was then bishop. Father Krafts immediately proceeded to the mission where he has since worked energetically among the red men. It is known that the stock of the Indian Land company that the assault upon him was owing to the heat of the moment and under other circumstances would not have been made.

The Erickson Failure. The store of C. L. Erickson, the North Sixth street jewelery store, was yesterday night on an attachment issued at the instance of C. C. Briggs & Co., of New York, who hold a claim of \$1,000 against Mr. Erickson. The stock is now in the possession of the sheriff. Mr. Erickson states that his assets far exceed his liabilities, and that if his creditors will give him a little time he will soon be on his feet again.

Reputable Physicians Called in When It is Entirely Too Late. Mr. G. C. Muir, a brother-in-law of M. J. Burns, died at the latter's residence, 1033 South Twenty-ninth avenue, Wednesday night of typhoid fever. Mr. Muir and his wife had been visiting Mr. Burns, their home being in California. Several days ago Mr. Muir complained of feeling ill, and his wife, a physician, called a doctor who was called and pretended to give him a "treatment." He appeared to be benefited and returned to his home in a day or two he was again taken sick and the operation was called a second time. He seemed to improve, but in a short time was again taken sick and another operation was called. Efforts were made to have him see a regular physician, but he refused and continued to grow rapidly worse. On Wednesday a lady physician was called who at once announced that Mr. Muir was past recovery. Every effort was made to save his life, but without success. The physician refused to sign the death certificate and an application was made to the city physician.

Fette Has Skipped. It is now believed by the police that Belle Brandon, the woman who had the custody of Harry Mansfield's body, has slipped the country. Her home is 8112. Mansfield is still in jail. The body was found in a room of the most reckless and crooked in her class and has conducted a "fence" for thieves for some time. Mansfield was her best man, but her "book" have made the headquarters at his place. Her case will be called tomorrow. The charge against Belle is receiving stolen property.

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