

MUCH TESTIMONY SECURED

Why the Nebraska Maximum Rate Law is Hung Up.

MAY CLASH WITH THE RECEIVERS

State Board of Transportation and Union Pacific Receivers Not Agreed on the Question of Authority-Litigation in the Near Future.

LANCASH, Dec. 7.—(Special to The Bee.)—

Speaking of the delay in the trial of the injunction case brought by the railroads to prevent the State Board of Transportation from putting the Nebraska maximum rate law into effect, Secretary Dilworth stated today that the board was ready to go to trial at any time. The delay is caused by the attorneys, who are still busy engaged in taking testimony. The testimony in the case is likely to be very voluminous. Attorney Woodworth and his associates have been engaged in the work of gathering facts ever since the temporary injunction was issued. Attorney General Hastings and Secretary Dilworth have accompanied the attorneys who represent the railroads to Chicago and St. Louis in order to cross-examine the witnesses called by the board. They are continuing to gain material points by attending the examinations. J. L. Webster is now in New York attending the examination of witnesses there. When the railroads put in their evidence the attorneys representing the State Board of Transportation will commence the work of gathering their evidence, but the work will consume but a few days.

May Clash with the Receivers.

There is some question as to whether the State Board of Transportation has any jurisdiction over the Union Pacific railroad now that that company has passed into the hands of receivers. The matter is likely to be tested within a few days. All the railroads doing business in Nebraska have filed with the board their annual reports, as required by law with the Union Pacific and the Union Pacific. The board has reason to believe that the report of the Union Pacific has been made out, but that it is being withheld from the receivers. Secretary Dilworth will probably make a formal demand for the report in a few days, and if it is still held back he will institute a case under the state law to see whether the receivers can be held within the jurisdiction of the State Board of Transportation. The general rule is that receivers are only subject to the jurisdiction of the court from which they receive their appointment.

Assent the Transfer Switch Law.

The large amount of testimony taken by the secretaries of the State Board of Transportation in reference to the demand for the location of transfer switches in accordance with the law passed by the last legislature is being transcribed, and a report on the results of the applications will be made within a few days.

The secretaries of the board are now inclined to believe that in order to secure evidence as to the necessities for transfer switches they have gone to the wrong source. In nearly every case the evidence taken at a point where a transfer switch is desired has shown either that the men who wanted it do not need it, or that there was no pressing demand for the switch. But they now state that a transfer switch will be of less benefit to the town in which it is located than to towns in another part of the state. For instance, the stockmen of South Omaha are likely to be benefited by the location of a transfer switch at some point in the interior part of the state than the people at that particular point. It is likely that the board will hold a general meeting at which shippers, wholesale merchants of Omaha and Lincoln and other particularly interested may give their views. While no inkling of the probable findings of the board has as yet been given, it is stated that the board has authority that the secretaries have already decided favorably on five and possibly six cases in which transfer switches are asked for.

Gossip at the State House.

The printed tabulation of the vote cast at the recent state election has been received at the office of the secretary of state and is ready for distribution. The receipt of the Nebraska exhibit at the World's fair by the officers of the State Board of Agriculture has been completed and their present quarters on the ground floor of the state house are entirely too limited and they will probably remove to the commodious rooms on the third floor of the main building. The state banking department will then be given the rooms now occupied by the governor's office. It is his desk again after an illness of about two weeks.

Stationary Engineers Arrested.

The police today served warrants for the arrest of eleven stationary engineers of this city who are in violation of a city ordinance to the city ordinance, which provides that it shall be unlawful for any person to operate or cause to be operated any stationary engine, boiler, engine or any other power other than heating a private dwelling, unless there shall be in charge an experienced person having a certificate from the Board of Engineers. Warrants were sworn out by the following: H. H. Townsend, Best Laundry company; George A. Wedlock, Ninth and T. Kent, Electrician; George O. George Sexton, Fifteenth and G.; Henry Carpenter, Fifteenth and M.; C. N. Lane, Twenty-sixth and P.; George Bentley, Ninth and R. L. Smith, John Roberts, George Peterson, Fourteenth and O., and J. J. Owens. The men all appeared at the police station and were released on their own recognizance to appear tomorrow. Other arrests are likely to follow.

Big Lincoln Real Estate Deal.

One of the largest real estate deals for some time has just been completed in Lincoln by which E. A. Stewart, a well known investor named Holland from Augusta, Me., several large holdings in this city, the consideration being \$100,000. The property sold consisted of three business lots on North Eleventh street, a business block opposite the postoffice, a block at Fourteenth and O streets, one at Seventeenth and H, and two near Nineteenth and O. Considering the light demand for improved real estate in Lincoln at the present time the sale is looked upon as a favorable indication of reviving business.

Church Howe Improving.

Church Howe, who is ill at Hotel Lincoln in this city from effects of a serious operation performed for removal of tumor last Sunday, is progressing rapidly toward complete recovery. He was able to sit up a while this afternoon and is able to receive his friends. His physicians say that he is entirely out of danger. Since the news of the operation was sent out Mr. Howe has received over 300 letters and telegrams inquiring as to his progress.

Send Mallory's Bondsmen.

Walter Voght today commenced suit against Jack Johnson and Bud Lindsey, bondsmen of Constable Mallory, who left Lincoln the other day with a young colored girl after deserting his wife and family. Voght alleges that he had secured a judgment in Justice Foxworth's court for \$110 and costs and that he had secured the property of his creditor, A. T. Cooper, to recover the amount of the judgment. Mallory got the goods, but afterwards gave them back upon receiving from Cooper's attorneys the money to cover the amount of the judgment. Instead of turning over the money to Voght Mallory told him that he could find no property belonging to Cooper. It is likely that several other cases will be instituted against Mallory's bondsmen. In such an event Mallory will be hunted up and brought back to Lincoln to face his creditors as well as his deserted wife.

It is also learned today that before leaving Lincoln Mallory sold his horse and buggy to Constable Louie O. It is now learned that the outfit was mortgaged to Scott Bros. at this city. Arrangements are being made to have Mallory located and brought back to Lincoln on the charge of selling mortgaged property. He will also be tried on other charges.

Lincoln in Brief.

The case against the Associated Press brought by the State Journal was today, by

order of Judge Strode, transferred to the federal court.

Patrick Egan, ex-minister to Chili, came into court today by affidavit to answer to a case brought against him by the German National bank. The bank sued Egan for \$500, and alleging that he is now a nonresident asked for a writ of attachment upon his property. Mr. Egan filed an affidavit denying the allegations that he has not ceased to be a resident of Lincoln, but that he is remaining temporarily in New York to settle up his affairs in connection with his mission to Chili. As soon as this is accomplished he states that he will again move to Lincoln.

George Braden, one of the members of the famous jinks that was raided during state fair week, was discharged by Judge Waters today.

The cases against "Bud" Lindsey for violating the excise law, which have been pending for so many weeks, were finally dismissed.

An arrangement has been made with the creditors of the firm of Clason & Fletcher, which failed some weeks ago, by which the establishment will be reopened. W. E. Buringame of Omaha becomes the owner of the stock.

AGREED TO SEPARATE.

Recent Plattsmouth Scandal, the Cause of the Divorce.

PLATTSMOUTH, Dec. 7.—(Special Telegram to The Bee.)—The Hedlund scandal, which has furnished food for the gossips of Plattsmouth for the past ten days, will result in a divorce suit. Hedlund and his wife agreed to separate today and the husband will commence divorce proceedings in the next few days. According to the terms of the settlement Mrs. Hedlund is given the home property in this city, valued at \$8,000, while the husband is accorded the custody of the three children and reserves all the remaining property, which includes a fine farm in York county. It is understood that Hedlund has renounced his intention of instituting civil and criminal proceedings against the persons who broke up the family.

Freemont Deaths.

FREMONT, Neb., Dec. 7.—(Special to The Bee.)—The death of Miss Emma Ely, daughter of Judge Ely of this city, occurred at 10 o'clock last night. Miss Ely was connected with the educational interests of this city and county for the past fifteen years.

The board of supervisors yesterday selected names from which will be drawn the jurors for the January term of the district court.

The marriage of Dr. George Haslam to Miss Mary Dern was solemnized at the home of the bride's parents at 4 p. m. today, Rev. Mr. Grief officiating.

A probably fatal shooting scrape occurred about three miles northwest of Arlington last night at the scene of a double wedding. Resignations of the land and C. G. Wood in the interior department affecting Nebraskans, Iowans and South Dakotans, therein employed, and they are as follows: Pension office dismissals, Samuel W. McElderry and N. A. Lawrie of Iowa, both republicans. Reductions of republicans in the pension office, S. R. Vanoy, vice G. H. Brown of Nebraska and Jacob C. Peacock of Iowa. Forced resignations of republicans in the pension office, C. B. Roberts, Miss Bessie Madena, S. I. Taggart and C. G. Horton, Iowa. Democrats promoted in pension office, J. R. Tedrow and Herman F. Barnerden, Iowa.

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Secretary Morton's Family.

The secretary of agriculture is now pleasantly domiciled in a flat at the Portland just over ex-Senator and Mrs. Van Wyck. Miss Emma Morton, his sister, who has kept house for him the past eleven years in Nebraska, is with him at the Portland and will continue to reside for him during his residence in this city. She says she likes Washington immensely and is feeling just as much at home in it as she did in Lincoln. She gave up her own home in Detroit to go to Nebraska and assume charge of her brother's home after the death of her father. This past Thanksgiving was the first in many years when the secretary's four sons and their wives and families did not meet around his table. Mr. Vanoy was here last week for a few days and Miss Morton hopes to have at least two of her nephews and their wives here with her during most of the coming season. Secretary Morton has not yet decided where he will eat his Christmas dinner, whether here or at his home in Chicago, that of them residing in that city. His Morton has been receiving calls on the last few Wednesdays and a number of visitors enjoyed a chat yesterday with her.

News for the Army.

The following army orders were issued today:

First Lieutenant Benjamin L. Ten Eyck, assistant surgeon, is assigned to station at Fort McIntosh for field duty in the Department of Texas.

Special orders September 4, granting First Lieutenant Allen M. Smith, assistant surgeon, leave of absence for four months to take effect October 25, are so amended as to grant the leave to take effect January 4.

Leave for five months on account of sickness is granted First Lieutenant James J. Meyler, corps of engineers.

Leave for fifteen days from December 23 is granted Captain Henry G. Sharpe, commissary of subsistence.

Leave for six months on surgeon's certificate of disability is granted Captain Daniel H. Floyd, assistant quartermaster, to take effect from the date he left Columbus barracks, O.

The leave on surgeon's certificate of disability granted Post Chaplain Joseph A. Potter is extended two months.

First Lieutenant Millard F. Wolz, Twelfth infantry, now on leave of absence, will report by letter to the superintendent of the recruiting service, New York City, to conduct recruits to the Department of Dakota.

Will Tax Patent Medicines.

It looks as though patent medicines would be taxed by the ways and means committee's internal revenue bill about 5 per cent. The proposition when first made was not looked upon by the committee with favor, as patent medicines are mostly consumed by poor persons who are not able to support a regular physician, but it begins to look as though the committee in its efforts to find something to tax would have to settle upon most of those articles which pay tribute to the government during the late war. The ways and means committee is striving to determine all questions in dispute before Saturday night. The customs features were all completed tonight.

Secretary Carlisle's annual report will not be finished until the internal revenue and income taxes are determined, but he now hopes to be able to make his report public Monday. The measure is to be reported to the house Wednesday, accompanied by a majority and probably the minority report. The customs bill may possibly come before the house for consideration a week from today, and at the furthest a week next Monday. The question of increasing the whisky tax will probably be determined late on Saturday. It looks as though there may be an increase of 30 to 50 cents a gallon, and that the whisky in bond would not pay the increase.

Where the Democrats Disagree.

A number of instances will be presented during the present session regarding the presidential thumb-screw. It was thought that when the president coerced his party representatives in congress on the silver question he had subjected himself to that discipline would be sufficient to keep them in line. There is not an important issue before the house.

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Sailing Away.

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HOKE SMITH'S SWEET WILL

His Disregard of the Civil Service Law Becoming Very Annoying.

WESTERN REPUBLICANS HAVE SUFFERED

Grossest Violations Discovered in the Cases of a Number of Nebraska and Iowa Citizens of Opposite Political Faith.

WASHINGTON BUREAU OF THE BEE, 513 FOURTEENTH STREET, WASHINGTON, Dec. 7.

Nebraska and Iowa republicans employed by the government in Washington have been made to suffer during the few months which President Cleveland has presided over the destinies of Uncle Sam. Secretary Hoke Smith, early in his official career, issued an order that the chiefs of divisions, appointment clerks and others under him should not give out information relating to appointments, reductions in rank, promotions and resignations. He had an extra oath of secrecy placed upon this information. The reason for so doing was that it intended to punish the republicans and reward democrats and he did not want his means known by the public. He premeditated the grossest violations of the civil service laws and he did not want to be amenable to them.

Today The Bee correspondent learned through the books of the Civil Service Commission the changes which have taken place in the interior department affecting Nebraskans, Iowans and South Dakotans, therein employed, and they are as follows: Pension office dismissals, Samuel W. McElderry and N. A. Lawrie of Iowa, both republicans. Reductions of republicans in the pension office, S. R. Vanoy, vice G. H. Brown of Nebraska and Jacob C. Peacock of Iowa. Forced resignations of republicans in the pension office, C. B. Roberts, Miss Bessie Madena, S. I. Taggart and C. G. Horton, Iowa. Democrats promoted in pension office, J. R. Tedrow and Herman F. Barnerden, Iowa.

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There is democratic malice in every line of the above record of movements of employees. Nearly every one changed was under the civil service protection, but the law has no effect whatever under this administration. It is simply a question whether the employee is a democrat or republican.

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fore congress now, nor has there been one since 1890, since which time the sugar bounty has been more popular and effective in the way of revenue and in direct line with the democratic policy of tariff for revenue only.

The democratic party has pledged itself to repeal the tax on sugar bounty, and the administration opposes it. There is a lack of harmony between the democrats in congress and the administration on this subject. Improvements, the bankruptcy bill and our foreign policy, not only respecting Hawaii, but almost every other country where we have interests.

Notes and Personalities.

Senator Manderson called up in the senate today and secured the passage of his bill to reimburse the state of Nebraska for the expenses incurred by that state in repelling the Big Timber, Mont., by J. A. Hall and his associates.

Nebraska's three populists in congress, Senator Francis B. Rowley, Representative Kemmerer, and Representative McKeighan, have not put in an appearance since the session opened.

Postmasters appointed today: Iowa—Harrison, Benton county; Elizabeth Ash, vice Emily Brown, resigned; Donnellson, Lee county; W. E. Bell, vice Lewis Water, removed; Arbana, Benton county; J. L. Moore, vice W. E. Combs, resigned; Dabney county, John J. Smith, vice G. L. Ireland, removed.

South Dakota—Lewiston, Sully county, Benjamin Nelson, vice P. W. Pearson, dead.

PEBBY S. HEATH.

NEBRASKA'S CONSTABULARY.

Plans for the Organization of the Police Chiefs of the State.

Chief of Police Seavey is feeling greatly encouraged over his efforts to effect a state organization of the marshals and chiefs of police. The convention will be held in Omaha on December 13, and the city council chamber has been secured as a place of meeting. The Merchants hotel will be headquarters for the visitors, and officers will be detailed there to make the visitors feel at home while they are in the city.