ESTABLISHED JUNE 19, 1871.

OMAHA, SATURDAY MCRNING, JUNE 9, 1894.—TWELVE PAGES.

SINGLE COPY FIVE CENTS.

Beatner's Strictures on the Federal Judiciary Reviewed by a Colleague.

STONE'S MINORITY REPORT ON JENKINS

Claims Inconsistencies in the Committee's Recommendations-Would Leave the Question of the Validity of the In-June lons to the Courts.

WASHINGTON, June 8 .- Representative W. A. Stone of Pennsylvania today submitted a minority report on the recent investigation by a subcommittee of the house judiciary committee of the famous strike decision of Judge Jenkins. The report is signed by Representatives Stone, Ray of New York and

After reviewing briefly the history of the injunctions issued by Judge Jenkins, the subsequent proceedings under them, and the institution of congressional investigation, the report says: "It appears by the testimony taken by the subcommittee house judiciary that the employes understood the injunctions to prevent them from leaving the service of the railroad in any manner without the consent of the receivers. A motion was made before Judge Jenkins to modify the terms of his orders, and in an opinion filed, which is published with the testimony in this case, he disclaims any intention by his injunction to prevent any of the employes from quitting the service of the company in a peaceable, decent or reasonable way.

"In his opinion he says: 'None will dis-pute the general proposition of the right of every one to choose his employers and to determine the time of service or conditions or his right to abandon such service, peace-

"An appeal to the court of appeals of that district from these injunctions granted by Judge Jenkins was taken, and the same is now pending with the expectation of a decistor with the capectation of a decistor."

ion within the near future."
"The committee has reported at some length, taking issue with Judge Jenkins solely upon the law of the case and holding that he committed grave legal error and was guilty of an abuse of legal process, and has submitted a resolution for adoption by the house and also recommending a statute pro-hibiting the enforcement of specific perform-ance of labor contracts by legal process.

"As the minority does not represent the governing power of the house it does not feel called upon to indulge in any affirmative proposition in relation to the subject matter of the report. Its recommendations would have no power, and, therefore, it is not worth while to make them. The labor question in its relation with railroads is one full of complications because of the public interest which intervenes. In ordinary cases be-tween employers and employes, the public have only a remote interest, but here they have a direct one; not only free passage from place to place is prevented, but supplies are cut off and business paralyzed. On the one hand it is for nobody's interest to cripple the railroad owners, for injury to them when made systematic and general would be death to all improvements and a hindrance to other railroad building; on the other hand, men are entitled to a fair wage in the settlement of the amount of which they must have reasonable combined voice. It must be still further said that some method of adjustment must be had which will secure public traffic and the business of all people from being interrupted by the disputes of those immediately concerned. It can be seen at a glance that such a question cannot be settled by the concurrence of both parties on a common basis. The basis of settlement will be found when the persons interested have had the benefit of many fallures on both sides. We have great hopes that a basis will soon be reached, first by finding what the law is, and, second, by agreeing to what it ought to be. We, therefore, must decline to follow the majority into any dis-quisition as to what the law is. That seems

under the control of another branch

and already in line to be settle authorita-

"But the attitude of the majority is one which ought not to pass without animad-version. If, as the committee says, 'the testimony adduced before us falls to show any corrupt intent on the part of the judge, if also it is altogether possible that he sincerely believes the orders granted by him were sanctioned by law,' then the ques-tion should be left to the appellate tribunal A federal judge in the exercise of his functions having arrived at a conclusion without 'any corrupt intent,' a conclusion 'he sincerely believes in' ought hardly to be harrassed by a congressional committee harrassed by a congressional committee since he is quite as likely to be right on a point of law as they. Individually we may believe his law was not sound and may not think it will be so pronounced by the tribunal of appeal, but if he was honest and has given his honest opinion honestly it would seem as if the correction should come from another source and that the law should be settled by the proper tribunal prior to legislation. It may be that no legislation is required and the appellate court will afford all the relief the country If on the other hand Judge Jenkin has been, we will not say corrupt, but un duly swayed in the exercises of his func-tions by improper influences or has stated law so badly that it was plain that he violated his evident duty as a holder of the scales of justice, as an arbiter between rival interests, then he should be impeached or if he has corrupted or has so wrested th law of the land that injustice has been done so evident that it carries with it the proof of evil intent, then congress has a plain to perform. But if it be a mere ques tion of law, then the judiciary has the to perform, and congress, by granting court of appeals, has ended its duty. O course, when the case is finished, if the final appeal should demonstrate that the law is defective, then remedies should be applied, but we ought to know what the law is before we act. If it should be finally determined that Judge Jenkins was wrong then the law may not need amendment committee thinks he was wrong and yet proposes to act as if he were right. proposed. As for the resolution propos

much for the legislation originally later, we do not see how it could be justi fied. Were it demanded that we should vote condemnation of any proposition that involuntary servitude should be established by any interpretation of law all sensible men would be agreed, and republicans above all not to propose that a judge, who, as the majority declare, 'had no corrupt intent,' and 'who sincerely believes' in his conclusions, shall without impeachment be censured by the legislative branch of the government.
"Is the government to confound all dis tinctions between the legislative

judicial powers and create a side tribunal-of appeal where justice would be for sale to the suitor who could poll the largest vote?"

TO AVOID RAILROAD LABOR WARS.

Congressman Tawney Has an Arbitration Pian Framed in a Bill.

WASHINGTON, June 8 .- Since the recent atrike in the northwest on the Great North ern road, which for several weeks interrupted the transportation of passengers, freight and mails on the 4,500 m les of that railroad, Congressman Tawney of Minnesota has given the subject of the settlement of controversies of that nature by arbitration careful consideration, and today introduced a bill looking to that end. It differs very materially from all other bills on the subject introduced in this congress. It creates no new officers, but utilizes the circuit courts in carrying out its provisions. It applies to controversies between railroad companies doing an interstate business and their employes.

Under the provisions of this bill when a controversy exists between a company and employes which impedes or threatens to

CRITICIZES THE MAJORITY impose the transportation of passengers or property or mail, either party by filing a petition may secure from the circuit court a petition may secure from the circuit court a citation directing the other party to the controversy to appear and answer. If neither party exercises this right either before or within a reasonable time after the strike occurs, it is made the duty of the district attorney of the United States, upon the request of any board of arbitration, to bring the parties into court for the settlment of dispute. Upon the consent of the parties, it became the duty of the court to hear and determine the controversy in the same mandetermine the controversy in the same man-ner it would hear and determine any matter

roperly before it.

If the parties do not consent to the court If the parties do not consent to the court hearing the controversy, a board of arbitration is to be appointed, to whom the matter is referred. The board is to consist of five persons, one to be selected by each of the parties, and three by the court. Those selected by the court shall not be connected with or interested in any railroad company, either as an officer, stockholder of employe. Objections to those selected by the court may be interposed by either party, and if the be interposed by either party, and if the court deems the objection reasonable, the person objected to shall not be chosen. Should either party fail or refuse to select a representative, it is made the duty of the court to select one for them. This board is then to bear and determine the controversy. The time within which its award must be filed is left to the discretion of the court. Within three days after the award is filed either party may move to have it vacated or modified, but only on the ground of its having been procured by fraud or corruption, or upon errors of law ma-terially affecting the rights of either party. When confirmed the award becomes the de-cree of the court and is to be conclusive. Severe pensities are imposed for a failure

or refusal on the part of the company to comply with the judgment, providing the refusal causes a strike. But if the company complies with the judgment, so long as the conditions in force when it is rendered remain substantially unchanged, it is declared to be a misde-meanor for two or more of the employes or for any outsiders to combine or conspire

or for any outsiders to combine or conspire for the purpose of causing a strike on ac-count of any matter previously determined by the judgment. This is an offense which must be proved by a jury trial. In the preparation of the bill, Congress-man Tawney was assisted by Congressman Hartman of Montana, whose citiznes were also seriously affected by the Great Northern strike. The bill was referred to the comstrike. The bill was referred to the committee on judiciary.

TOWNSITE WAR AT POND CREEK.

Fight Between the Government and the Rock Island Railroad.

WICHITA, June 8 .- On a telegram from the Rock Island officials the sheriff has sent a number of armed men on a special from here to Round Pond, Okl., where a railroad war is in progress.

All these men were selected for bravery and were heavily armed with Winchesters, under command of James Carnes, ex-chief of police, and one of the best known and

of police, and one of the best known and nerviest officers in the west. Ex-Deputy Sheriff Darnell is another of the party.

POND CREEK, Okl., June 8.—The war is the outcome of the old townsite dispute. The government established a townsite and the railroad another. The residents of the government townsite insist on the railroad stopping its trains and the latter declines. Yesterday a trains and the latter declines. Yesterday a wagon and team was run down by a freight train running faster than the city ordinance permitted and the citizens began tearing up the track. A live stock train came along and the engineer disregarded the danger signal and was wrecked, a lot of cattle being killed. Later the track was repaired under protection of United States deputy marshals and today every one is going about

EL RENO, June 8.—The force of deputy marshals from El Reno, who went to I and Creek to protect the railroad property from the townspeople of that city, returned this evening. They report affairs fully as bad as stated and that a constant patrol was all that kept their bridge from being burned out, as the bridge was already oiled and prepared

RECEIVER FOR A LAND COMPANY.

Judge Hallett Puts A. G. Gorham in Charge of a Wealthy Concern.

DENVER, June 8 .- Judge Hallett has appointed Austin G. Gorham receiver for the Denver Land and Water Storage company on application of the State Trust company of New York, representing the holders of general mortgage bonds for \$537,000, interest on which was due May 1 and was defaulted. Rufus Clark holds a second mortgage for \$237,000, on which no interest has been paid for two years.

The Denver Land and Water Storage com-pany owns Castlewood dam, the Clark colonies and the Arapahoe canal system. starting two and one-half miles south of the city limits and running twelve miles south. Its dam and ditches, according to W. E. Alexander, who is secretary, manager and heaviest steckholder, cost \$489,900, and are perfect models of their kind. Mr. Alexander estimates the value of the franchise at \$1,000,000. He says the company will come out all right.

WEDDING IN KELLY'S CAMP.

Annie Hooten of Council Bluffs Married to a Commonwealer.

CAIRO, Ill., June 8 .- The camp of the Commonwealers yesterday was the scene of a wedding under singular and romantic circumstances. It was the marriage of Thomas T. Suttliffe of San Francisco, aged 33, and Miss Annie Hooten of Council Bluffs, aged 27. 'Squire Joseph Steaglea secured the license, charging no fee for tying the nuptial

'Squire Steaglea drove to Camp Kelly. Arriving there he was escorted to a log heap ten feet high, shaded by trees. The bridal party were assisted to mount the pile, and General Kelly sounded his bugie, when about 1,150 men surrounded them with bare heads. After the couple had been pro-nounced man and wife, the bride, overcome by emotion, fainted, but was restored to onsciousness in a few minutes.

TO SING SING FOR LIFE.

Dr. Meyer, Poisoner of Ludwig Brandt, Sentenced Today.

NEW YORK, June S .- Dr. Henry C. F Meyer was today sentenced by Recorder Smythe to imprisonment in Sing Sing prison for life. Dr. Meyer was convicted of poisoning Ludwig Brandt.

Mrs. Meyer, who was jointly indicted with her husband for poisoning Brandt, is still in the Tombs, but the date for her trial has not

Fearless Journalism in Iowa.

SIOUX CITY, June 8 .- (Special Telegram to The Bee.)-J. L. Lewis, who with Atiee Hart, a prominent Nebraska politician, represented a Chicago sensational paper lo erally, has just returned fr m the penitentiary and commenced preparations for the publication of another sensational paper. He was promptly rearrested on six indictments authorities informed him that he would be presecuted on all the charges, and he has asked to be permitted to plead guilty to all of them, and regeive a light sentence in each case. He will probably be permitted to

Did Not Hart Any One.

ALBANY, N. Y., June 8 .- An attempt was made to wreck the passenger train due at 7:40 at Rockefellers crossing on the Delaware & Hudson last night. A rail had been fastened across the track. The train crashed into the obstruction and tore off the fastenings, but did not leave the track. There were about fifty passengers aboard, but barring a shaking up none of them were

Peculiar Circumstances of an Al'eged Attempt to Get City Money.

REPLY OF THE TREASURER TO MR. RHEEM

Reported Scheme to Secure the City Electrician's Salary in Spite of the Injunction and How it Worked-Explanations in Order.

Acting City Electrician Rheem and the city comptroller to steal a march on the courts by securing the payment of Mr. Rheem's salary before the city treasurer had received notice of the fact that an Injunction had the street and endeavored to induce him to pay the amount on a certificate from the comptroller that the item had been allowed by the council over the mayor's veto. Mr. Rheem's story is that he simply asked the city treasurer for information whether such a payment would be proper, as a general proposition, and without any intention of isking him to pay that particular claim.

The injunction was issued at 4:30 o'clock Wednesday afternoon and the papers were served on the mayor soon after. For some reason Mr. Bolin could not be found during the evening, and he knew nothing of the injunction until he reached his office the next day. In the meantime he had met Mr. Rheem and the conversation occurred concerning which there appears to be so much misunderstanding. The comptroller figured in the affair to the extent of making out the certificate for Mr. Rheem, and advising him that he thought that he could get his money without waiting for the warrant to be signed. According to the statements of other parties, this was all done after the comptroller had been informed of the fact that the injunction had been issued.

WORKING FOR RHEEM'S SALARY. Early Thursday morning Comptroller Olezon called up the mayor's office by telephone and said that he had two warrants ready for signature which were passed over the veto of the mayor at the council meet-ing Tresday night. These were for the salaries of Rheem and Hugh S. Carpenter, the newly appointed engineer of the public library building. He was told that Car-center's warrant was signatured. penter's warrant was signed and paid the day before, but that the mayor had been enjoined from signing the one bearing Rheem's name. Olesen professed ignorance of the fact that an injunction had been issued and bear injunction had been

issued and hung up the phone.

Two or three hours after Mr. Rheem met
City Treasurer Bolin near Tweifth and Harney streets. The latter's statement is that Rheem asked him if he had heard of that Rheem asked him if he had heard of an injunction and on receiving a negative answer inquired if he would not pay him the amount at that time on an order from the comptroller. At the same time he presented a slip of paper bearing Olesen's signature. This was to the effect that the item of Rheem's salary had been passed over the mayor's veto and could legally be paid.

Mr. Bolln thought it a peculiar circumstance and finally said that he would not pay the amount except on a warrant legally signed by the mayor. Mr. Rheem did not press the matter and the treasurer came on to his office, where he found the notice of

When asked if it was customary for Mr. Olesen to issue orders for the payment of warrants which had not been signed by the mayor the city treasurer said that it had ometimes been done in cases where a police officer wanted to leave town and there was no time to have the warrant signed. In one or two such cases the amount had been paid on the certificate of the comptroller that the item had been duly approved by the council and that the warrant had been ssued. In this case, however, no such reason for departing from the usual procedure existed and the request to pay the claim had been refused.

When asked for his version of the matter Mr. Rheem said that he had been misunderstood. He had been advised by a number of persons, among whom were one or two ex-councilmen, that the amount due him could legally be paid by the city treasurer on a certificate from the comptroller that it had been allowed by the council. It was his personal impression that it could only be paid on a warrant signed by the mayor and he had simply asked Mr. Bolin a general question as to the law in the matter intending to intimate that he wanted any money. He had himself informed the treasurer that the injunction was issued and had no idea of taking any advantage. He did not want his salary until after the courts had decided the case and had no idea of entering into any suspicious transactions He had not asked Olsen for the certificate, but the comptroller had given it to him or his own responsibility and had further in-formed him that he thought he could get his pay on the warrant without the pre-liminary of the mayor's signature,

OLSEN TELLS HIS SIDE. Mr. Olsen admitted that he had given Mr. Rheem the certificate, but claimed that i was at his request and only as a matter of form. He had often done the same thing for various parties, but did not know what they wanted it for. They had never told him and he had not asked. He was quite sure that they were never used to obtain advance payments from the city treasurer Olsen stated that his conversation with Mr. Rheem took place about 10 o'clock, which

was about half an hour after the mayor's clerk had informed him of the injunction.

There is little doubt among those acquainted with the facts that there was a oncerted plan on foot to beat the injunction and obtain the salary of the acting city electrician before the papers were served. Mr. Rheem himself disclaims any such inten-tion, but his other statements go to show that various other parties were very anxious to induce him to take such a course. The inxiety of the comptroller in the is severely criticized, as it appears that he voluntarily gave Mr. Rheem the certificate and advised him to try to get his money after he was acquainted with the fact that the injunction had been issued and had been served on the mayor. The general drift of opinion around the city hall is to the effect that in listening to the advice of his fool friends the electrician narrowly escaped a very embarrassing situation.

Omaha's Ban't Account The county treasurer paid \$8,377.66 into the city treasury yesterday as an amount collected on the county road fund.

The net collection of city taxes during May amounted to \$65,133.05. Interest was added to the amount of \$6,078.97, making the total collections \$71,212.02. One item of 75 cents was for taxes levied in 1860. At that time there was a balance of 15 cents unpaid or some reason and it was unnoticed until last month when the property was trans ferred. Then it was found necessary to pay the balance with 60 cents interest in order to give a clear title.

Found Pounded Glass in His Stomach. URBANA, O., June S .- Marshal Boyer and William Black are in jail charged with setting fire to their saloon building to secure insurance money. This led to the charge of Coroner Moore exhumed the body and found the stomach full of small particles of pounded glass. When under a microscope they looked as large as pin heads.

Cherokees Crowding the Pay Window. TAHLEQUAH, I. T., June 8.-The day at

the big Cherokee payment passed without incident, and nearly \$900,000 has now been handed out to fortunate Cherokees. The

handed cut to fertunate Cherokees. The rowd is still being augumented by the arrival of hundreds of people daily, and the entrance to the pay windows is jammed with an immense concourse of people from day-break until night. The rush has become so great and access to the pay windows so uncertain that a general brokerage business has been transpared by a counter of enterhas been inaugurated by a couple of enter-prising capitalists now on the ground.

FUNERAL OF A PRIEST.

Impressive Ceremonies Over the Remains of

the Late Father Bruen. Hundreds of people were unable to gain admission to St. Philomena's cathedral yesterday during the funeral services of Rev. A small sized sensation was created in James A. Bruen and waited patiently until city official circles Thursday by what was their completion, after the noon hour, before reported to be an attempt on the part of they were allowed to pass down the aisles and gaze for the last time on the familiar

features in the open casket. The services began shortly after 9 o'clock, when the rites of the office for the dead were solemnized. The church was crowded at been issued to restrain the city from paying | that hour, but when the mass was begun at the amount. According to the statement of | 10:15 it was impossible to gain entrance the city treasurer. Mr. Rheem met him on even to the outer vestibale. It was solemn requiem mass, celebrated in the presence of the bishop, Bishop Scannell having arrived unexpectedly Thursday. Rt. Rev. Bishop Scannell occupied the throne, and the clergy was assigned as follows: Assistant, Very Rev. William Kelly; deacons of honor, Very Rev. John Jeannette, Rev. J. T. Smith; cele-brant of mass, Rev. S. F. Carroll of St. Philomena's; deacon, Rev. Francis Loughran of Sutton; subdeacon, Rev. A. M. Colaneri; conser bearer, Rev. P. Judge; master of cerenonies, Rev. Father Galvin.

The casket, which was placed within the chancel rail, was completely hidden from yiew by the wealth of flowers with which it was covered, and it was necessary to re-move a large quantity of them before the services could be concluded. At the right was a very large emblem, "The Gates Ajar," beneath a star and white doves, and at the left a harp of large size, with a cross occupying the space within the frame. Near i were the spotless leaves of an open book artistically executed in flowers of unsullied whiteness. On all sides were unbunched

flowers in the richest profusion.

No special program had been undertaken by the choir, as the deceased while connected with the cathedral had practically been di-rector of its musical organization, and the members felt the loss too keenly to devote themselves to the work of preparing new music. The regular chant was sung by members of the cathedral choir, assisted choirs of St. John's and St. Peter's. participating were Mesdames McCaffrey, Downey, Maher, Fitzmorris, Swift, Misses Lowry, Swift, Jennie Croft, Ella Croft, Messrs, Lumbard, Baumer, Swift, Schenck, Burkley, Provost, Doyle and Maker. Miss Margaret Swift presided at the organ.

The funeral service was preached by Rev. S. J. Enright of Davesport, Ia., a cillege companion of the deceased. He spoke par-ticularly of the course of the deceased in his last hours, and of the beauty of his death. He asked the prayers of all, that every member of the presthood might show equal Christian fertitude when the end came, and leave as bright a example for those who remained behind.

Hishop Scannell spake briefly of the de-

eased. He said that while the many soro know the departed one were disposed to think that he had been cut off before the possibilities of his promising young life had been realized, they must feel that it was God's will, and therefore for the best. While they mourned his less and could not but regret that he had been taken from among them, they were rich in the exam-ple that he had left them and could not do better than to show their appreciation of his brief presence among them by striving earnestly to emulate his courage, zeal,

obedience and faith.

At the conclusion of the services the waitig hundreds were allowed to pass by the isket and for half an hour they continued o file past.

Thomas Swift, C. J. Smythe, John Rush or. Riley, E. J. Brennan, John Baumer Andrew Murphy and P. H. Mullen were the pallbearers and bore the casket to the wait-ing hearse, around which the Hibernian knights threw a guard of honor in hollow square as inner escort. The representatives of the Hibernian post at the fort acted as advance advance guard, attired in the military uniform of the regular army and the regalia of the organization. The representatives of the eight Hibernfan organizations of the city and South Omaha followed, and after them the Italian society, Dal Cenisio All Etna, and the members of the Young Men's institute, all in regalia or decorated with

the badges of the order.

T. J. Fitzmorris acted as marshal of the societies, with Thomas Lowry, P. H. Carey, George J. Kleffner and Patrick Ford as

A very long line of carriages followed the ocieties, in many of them being the visiting priests, among whom were: Revs. W. Crowe Friendville; J. C. Caraher, Hastings; P. A Lysaght, Jackson; Charles Nugan, Schuyler; M. J. Barrett, Blair; John Fftzpatrick, Kear-ney; T. J. Carney, Plattsmouth; D. Fitzgerald, Auburn: M. Waldron, Newcastle: John Lawless, Lincoln; E. Hayes, Imegene, Ia. J. Hodge, Grand Island; J. J. Moron, Audu bon, Ia.; J. V. Wallace, Papillion; P. J. Grant, Norfolk; H. J. McDevitt, South Omaha; P. Smyth, Council Bluffs; Francis ovora, Plasi; M. O'Toole, North Moriarity, South Omaha; L. J. ery, Creighton college; T. O. Callaghan James Burke, John Vranek, John Daxacher A. Tyszka, C. Breitkopf, Thomas Walsh, G

. Glauber, Omaha. The cortege wended its way to the ceme tery of the Holy Sepuicher, the marching ocieties accompanying it as far as Thirtieth street.

One word describes it, "perfection." W. refer to DeWitt's Witch Hazel Salve, cure

BOYCOTT ON BEER.

Brewers Union Declares Against the Produc

of Two Omaha Plants. Formal notice of a boycott against the Krug Brewing company and the Omaha Brewing association was given at noon yesterday by the Brewery Workers union No. 66 through its secretary, Ernest Langbehn.

The difficulty which led up to the inauguration of this boycott had its incipiency in the refusal of the combined boss brewers of Omaha and South Omaha to pay employes for legal holidays when no work is performed at the breweries. The union held a special meeting last Saturday night to take possible action, as they claim, looking to an amicable adjustment of the question.
Secretary Langbehn of the union, when

seen yesterday by a Bee reporter, said that at their meeting on last Saturday it had been proposed to leave the matter in the hands of the executive committee for settlement. The latter had for settlement, The latter had made an attempt to do this Monday, but the proprietors of the breweries had refused to treat with them. A proposal to turn the matter over to an arbitration committee had been likewise met with the brewers refusal. He had therefore been authorize to order the boycott inaugurated, especially against Krug and the Omaha association The other boss brewers would be dealt with

In justification of the union's course Mr Langbehn said that employes were obliged to perform an extraordinary amount of labor on days preceding or succeeding holidays and he therefore saw no reason why pay

when employes had received no pay. At that time no action had been decided on, but when on Decoration day payment was refused the union had declared for bringing the boszes to time. An appeal will be issued to all organized labor asking members to refuse to drink

Krug's and the Omaha Brewing association's until these firms shall be declared firms. Central Labor union probably also be asked to endorse the boy DeWitt's Witch Hazel Salve cures piles

Prisoner Wanted in the West Having Difficulty in Securing His Liberty.

FORGER ANDERSON COULD NOT ESCAPE

Lively Legal and Official Skirmish Over the Liberty of a Fugitive from Justice-Passing on a Contempt Case-

Minor Court Matters.

Several members of the city police force, a number of deputies from the sheriff's office, an officer from Spokane Falls, Wash., and a prisoner, charged with being a fugilive from justice, all indulged in a game of hide-and-seek in the criminal court room yesterday, to the great amusement of the parties who were present to listen to the closing arguments in the Rudiger murder trial.

Along about the first of the present month Andrew Anderson of South Omaha was arrested on the charge of being a fugitive from justice and locked in the city jail. The arrest was made on the strength of a telegram received from Sheriff Humphrey of Spokane Falls, who stated that he was on the way and would take Anderson back with him. Chief Seavey at once interviewed Anderson, who insisted that he had commit ted no crime, but would go back to the coast and face the music without putting the officers to the trouble of getting requisition papers. This information was wired to the western sheriff, who kept on hugging the delusion that he was to have a pleasant trip and that he would experience no difficulty in landing his man in the town where he was badly wanted. As the sheriff journeyed eastward he was caught in the floods and was delayed for many days. In the meantime Anderson was a busy man, notwithstanding the fact that he was behind the bars. He hired a lawyer and the first move was to bring habeas corpus proceedings before the judge of the criminal court, who cited all of the parties to appear in court Thursday afternoon. At the appointed hour the pris-oner, the lawyers and a dozen officers were in the court room ready for the fray, but as the Rudiger murder trial had the right of way the case went over until yesterday, Anderson being remanded into the custody of the sheriff for safe keeping until such time

of the sheriff for safe keeping until such time as the case should be called for trial and until the arrival of Sheriff Humphrey.

Yesterday the case was called for hearing and from start to finish Anderson took the position that he would never return to Washington alive unless the proper papers for his removal to that state were received. Sheriff Humphrey could not proproduced. Sheriff Humphrey could not pro-duce those papers and as there was no visible reason for holding Anderson be was released and the writ granted. Happy in feeling that he was breathing the air of liberty and freedom Anderson started for the door of the court room, but as he forced his way through the crowd and to the en-trance he came in contact with a wall of peace officers, who at once attempted to place violent hands upon him, each and every officer having a warrant for his arrest. Some of the men had warrants charging some of the men had warrants charging the man with having resisted an officer, others had warrants charging him with vegrancy, while others had warrants which charged him with being a fugitive from

It was right at this point that the attorney for Anderson arose to the importance of his position and stepping between his client and the officers he pushed the former back into the court room, after which the judge suggested that it would not be the correct least while the court was in session The officers were with the court on this proposition, but they were not in the least disconcerted and perching themselves upon the radiators about the corridors, like a lot of cats watching for a mouse, they waited until the moon adjournment of the court when they pounced down upon Mr. Ander-son like so many hawks upon a June bug and bore him away to the jail, where they will attempt to hold him until the arriva of the regulation papers, which were tele graphed for last night and which will arrive in about three days. In the meantime the shoriff will remain in the city to see that his man does not give him the slip and get wny.

In speaking of Anderson Sheriff Humphrey stated that he was wanted on the charge of forgery to answer to nine indictments re turned by the grand jury of Spokane county The sheriff said that Anderson by some means got hold of the warrant book of the school district of Spokane and forged war. rants aggregating \$600, most warrants he disposed of to the banks of the city, after which he fled from the country

Late last night Anderson, by his attorne appeared before the judge of the criminal section of the district court, where he se cured another writ of habeas corpus, made returnable at 9 o'clock this morning, at which time the arguments will be In the application Anderson alleges that he is deprived of his liberty without having been served with due process, and that he has once had a trial and has been released by reason of the writ having been granted.

WESLEYAN WINS.

Gets a Verdict for Twenty-Five Thousand Against the Craig Estate.

The end of the suit of the Nebraska Wesleyan university, situated at Lincoln, against the estate of W. H. Craig, deceased, was reached last night, the jury returning a verdict for \$25,000 in favor of the plaintiff. it being the full amount for which suit was brought.

Craig was a wealthy capitalist, residing in Kansas City, and was a member of the Patrick Land company, which boomed Dundee Place, one of Omaha's western suburbs, a few years ago. During his lifetime he sub-scribed \$25,000 to the Wesleyan university. before the subscription was paid he died, and the heirs at once instituted pro ceedings in the probate court of this county for the purpose of having the claim of the university declared void, raising the poin that there was no consideration for the gift After a long trial and after the facts been presented, J. W. Eller, who at time was upon the probate bench, held that the subscription could not be collected from the property of the estate. An appeal was taken to the district court, and last weel the case was called in the law division, pre sided over by Judge Hopewell, where a vast amount of testimony was introduced. case was given to the jury Thursday after noon, and after deliberating for tweny-four hours, the twelve jurors returned their verdiet, finding for the plaintiff. The case w be at once appealed to the supreme court.

Dell Aikin's Case.

In the case of Dell Aikin against W. P. Cunningham, Frank E. Simmons and H. E. Murphy, brought to recover alleged damages aggregating \$50,000, caused by an arrest and mprisonment, Murphy recently filed a plea in abatement, alleging that the plaintiff could not recover damages from him, owing o the fact that all of the acts which he performed with reference to the arrest Aikin, were done as an official of h county. Yesterday the attorneys for Albert filed a motion, asking that the plea in abate Yesterday the attorneys for Aikin ment be stricken from the files of the court, alleging that it is not a proper plea and one not authorized by law.

Minor Court Matters. All of the arguments in the Rudiger mur-

der trial have been concluded and the case has been submitted to the jury.

In Judge Hopewell's court the case of Becker Bierbach against the Omaha Brewing association is on trial, where the plaintiff is seeking to recover the sum of \$26,850 damages. He avers that not long ago he was the proprietor of the Engle house, which was

doing a good and prosperous business.

About this time he claims that the defendant closed up the house and ruined his trade. In the Gallagher-Cooley contempt case

tried before Judge Ambrose and now in the supreme court, instead of the case having been decided the judges ordered the briefs of Gallagher and Cooley stricken from the files. The judge of the probate court signed as order last night, ordering the person Baby Ruth Wright Ernest delivered to custody of her natural parents, Mr. and Mrs. Charles H. Wright, holding that the adoption by S. G. Ernest was void. Ernest

will bring a damage suit against the county commissioners, they being the ones who gave him the child. DEATH OF A GIANT.

The Tallest Man in California Crosses the

Ice Sullivan, better known around Cakland, Cal., as the "Brooklyn Glant," died recently at the only home he had had for many years-the engine house of the East Oakland branch of the fire department. His death was rather sudden and was caused by pneumonia:

Joe Sullivan was called the tallest man in the world, but that may have been a little of the bombast of the circus with which Sullivan traveled for some months. He measured 7 feet 8 inches as he stood on the floor and 8 feet as he was laid out for his coffin. Sullivan was a peculiar character, says the San Francisco Chroniele. He seemed to feel his unusual size very keenly, and instead of having the forwardness of the dime museum freak, he was retiring and bashful, modest to a degree that kept him from earn-ing a very good salary, for he did not like to be looked at, would not go into a museum and even kept off the streets, so that he would not be made the object of the stares of men and the remarks of children. Only once did he yield to the temptation and accept an offer from Sells Bros.' circus. But he soo got tired of standing before wondering crowds and selling his photograph, and as soon as his contract was up he left the show and refused to return to it or any other.

Where he came from and who he was no one knew. He was a waif and drifted into East Oakland some ten years ago. He was then a large, raw boned shambling lad, who seemed to have grown rapidly, but gave no evidence of becoming an unusually tall man. He was then about 14 years old and be did odd jobs around the little business set-tlement at Thirteenth avenue. Among others whom he worked for was James Taylor, the undertaker, who is now burying him, But who then kept a livery stable.

The late James Moffit, chief of the fire de-partment, who lived in East Oakland, met the boy and took an interest in him. gave him a position with the Brooklyn engine of the department and from that time o this Joe Sullivan has been part of that branch of the department, and when he was taken sick he went back to the old engine house, where he had worked so long, to die But of all those for whom he worked at various times no one knows anything about his past. He was curiously uncommunicative about himself.
As time went on Joe Sullivan began to

grow. He was soon the tallest man on the engine crew, though he was not yet 18. But he did not stop growing when boys usually do. He kept right on and soon he towered above everybody on the street, until he was as much of a curiosity at a fire as was the fire itself.

At last Joe was persuaded to go out with the circus. He was gone about a year and then he dritted back to Oakland about a year ago. Since that time he had hidden himself as much as possible, sleeping at the East Oakland engine house. He will be buried by some of his friends in East Oak-His measurement, taken as he lies at Taylor's undertaking parlors, are as follows: Height, 7 feet 8 inches; length of foot, 14 inches: length of arm, 3 feet 8 inches

tance from the end of one arm to the end of the other, 8 feet 7 inches; chest measure, feet; waist, 3 feet 8 inches; length of face from chin to top of head, 15 inches 350 nounds. He had a very small hand for so large a man, and the glove measure only 9 inches. He will require a special coffin, 8 feet 4 inches long, 19 inches deep and 2 feet wide at the bottom.

AUSTRALIA'S COLLAPSE. The Conditions Preceding the Terrible

Panie of Last Year. An interesting report, just issued by the Department of State, from the United States consul general at Melbourne, gives for the first time a clear insight into the conditions precedent to the terrible panic in Australia last year, says the Washington Post. The report is concise in its language and nstructive in the picture which it presents. After stating that the financial his ory of 1893 was the gloomiest in the history

of Australia, Consul General Maratta says "From 1886 to 1890 the colonies were no only borrowing large sums on the public account, but using every practicable means to attract money privately from outside ources of supply. Banks, financial panies, and almost every class of institution having monetary dealings offered tempting rates of interest to British invest ors, and so well were these responded that the sums obtained at one performance could not be profitably employed with safety The fact that money thus obtained had to be utilized necessitated risks being accepted and advances made on securities which, under normal conditions, would not have been entertained. Real estate was boomed to fict! tious prices, and speculation in a hundred more objectionable directions assisted to in-

crease the trouble laid up for the future "No one appeared to recollect that th actual requirements for prudent trading and ordinary business matters could not expand unless the business production increased in either volume or value to support the expansion. As a fact, exactly the opposite was going on, for while the nonproducing ele nent was being boomed upward the actua production was on the decrease, especially in the direction of values. That a collapse must follow was so certain that it now seems strange that it was not foreseen at

BLINDGIRL WHO SETS TYPE.

A remarkable instance of what can be

Clever Miss Hattie Angell of Swaledale No Balked by Her Misfortune.

done by a blind person is shown at Swaledale, near Mason City, Ia. The Dubuque Telegraph relates that some twelve weeks ago S. B. Angell purchased the Swaledale Bee, and not having enough assistance hi blind sister, Miss Hattie Angell, prevailed upon him to allow her to go into the office and assist in the work. For the first few days she found occupation in folding papers, and she soon became so proficient in that that she asked to be allowed to type, and was given a case to see what she could do. In less than an hour she had the boxes learned and her first stickful of type was set in fifty minutes. W still more remarkable, she can now much type as the average compositor and do it with greater accuracy. She e ences but little trouble with her copy. is expert in writing the language of the blind, and matter is dictated to her. Writ-ing it down in her language, she goes to the case and gliding her fingers over the raised surfact she retains in her mind entire sentences, and accordingly can set with great rapidity. In order to get the type right side up her middle finger is used in feeling the nicks, and this is done while the type is being lifted into position in the stick. She has not yet attempted to distribute type, but she expects to soon become master of this art as well. Miss Angell is a very intelligent young woman and is a fine player on the plane. She has also achieved quite a little fame as a singer.

America's greatest beverage is Cook's Extra Dry Imperial Champagne. It is the pure juice of the grapes naturally fermented.

WAS DOING A BIG BUSINESS

Scheme to Get Something for Nothing that Was Working Very Nicely.

MR. BITTNER ARRESTED BY UNCLE SAM

Accused of Using the Malls for Fraudulent

Purposes-Trouble Over Federal Funds -Carrie Hart Goes Free-Cutting Timber on Government Land.

J. W. Bittner, an enterprising young man living at Humbolt, has been giving the postmaster at that place a great deal of work of late, so much that Mr. Cleveland's servant became suspicious and called the attention of the postal authorities to the mat-

The postal inspector found that Bittner was receiving a large number of letters in esponse to an advertisement in Omaha, St. Louis and St. Joseph papers. These advertisements were to the effect that a certain firm would pay a good salary per week and allow the person they employed \$3 per day expenses. The adverticer stipulated that an answer in order to secure recognition would have to be accompanied by a pestal note

worth 25 cents. A good many people replied, and that was all the good it did them, as no further notice was taken of their applications. The authorities began an investigation and traced the mail to young Mr. Bittner, who was placed under arrest on the charge of using the mails for fraudulent purposes. He was arraigned before Commissioner Dundy yesterday, but walved examination and was bound over to await the action of the grand jury in the sum of \$500. Bittner is little more than a mere boy in years, but anlittle more than a mere boy in years, but appears to be unusually shrowd, and he claims that he will be able to prove that his business was legitimate.

Cutting Government Timber.

William Bold, a Sheridan county ranchman, was brought into the federal court yesterday to answer to an indictment for cutting timber growing on the government domain. He pleaded guilty and was fined \$25 and costs, which amount he is now try-ing to raise. Bold's brother, Lewis, is also under indictment for the same offence and a United States deputy marshal went up to Rushville yesterday for the purpose of arresting John Thomas for a similar offence. In pleading guilty Bold explained that it had been the custom of ranchmen to cut timber from the government land and that the crops had been a failure in 1893, so that some of the ranchmen would have starved to death unless they had cut wood from gov-ernment lands and sold it to the government agency. He said that the timber he cut down was for the purpose of making it into lumber with which to build sheds and shelter for his stock. He estimated that he had secured about 5,000 feet of lumber in this manner. He also remarked that if the government was going to prosecute every man guilty of a like offence there would not be 100 able-bodied citizens left in the county.

He even implicated some of the county offi-Bold declares that his indictment was the result of a grudge held against him by some parties living in his section of the county, and promises to give the government all the information that it wants regarding the Hiegal cutting of timber in Sheridan county.

May Release the Prisoners. The lack of funds for the prosecution of

criminal cases before the federal court may result in several prisoners escaping trial and torney for a man under arrest for violating the government laws, asked that his client be tried, as the case had been placed on the locket, and that they were now ready for

The United States attorney said that he uld not try the cases, as there were no funds for witness fees, and he could not compel the attendance of important witnesses unless he could pay them fees. This led Judge Dundy to remark that unless the attorney could secure funds enough to pro-ceed with the cases set for trial where the accused men were confined in jall for lack of bail, he would order the cases dismissed and the prisoners released. There are several men now in the county fall pending trial in this court, and they may yet be given their freedom without having to go through the regular process of law. Most through the regular process of law of these prisoners are charged with viola-

ions of the revenue laws. Won a Girl's Freedom.

Carrie Hart, the 15-year-old girl charged with passing and having in her possession counterfeit money, was found not guilty by a federal jury Thursday. This young girl is said to be a niece of Vic McCarthy of Sarpy county. She was arrested by government officers on the charge of passing counterfeit silver coin. An attorney named Tipton had charge of her case, but when she was called into court Carrie had made

up her mind to plead guilty.
Owing to her youthfulness Judge Dundy would not let her do this and appointed John M. Thurston and Charles Offut to defend her. When the time for arguing the case came John M. Thurston made a eloquent plea for his client's freedom. remarks brought tears to the eyes of the jurymen and even the judge had to chew a oothpick vigorously to prevent showing his feelings. The one the least affected by his eloquence was the defendant. At the conclusion of the attorney's address the jury rendered a verdict within a few minutes.

Wholesale Reclamation of Arid Land. PHOENIX, Ariz., June 8.-The contract for the reclamation of arid lands in Arizona

just closed with R. L. Langdon & Co. of Minneapolis is the largest of its kind ever For \$2,000,000 the firm agrees to construct 100 ten-mile canals and three storage reservoirs on Rio Verde, Augua Frica and N w river, with a capacity of 600,000 feet of water and a canal to carry 5,000 cubic feet of water per second. The canal will rectaim 400,000 acres of choice orange land. The work is to be begun in thirty days, and will be completed during 1895. This is by far the biggest contract ever let in the United States for reclamation of

desert land. Drew Lots for the Winner

BUFFALO, June 8 .- A special to the Courier from Oneonta says that in the bleycle races yesterday the cracks were afraid of the new quarter-mile track and figured that pedaling at an extreme speed would be dangerous, so they all drew lots from a hat and thus decided upon the order of finish in each race. This was strictly followed with one exception, Coleman's carclessness losing him the third prize.

DeWitt's Witch Hazel Saive cures ulcers. DeWitt's Witch Hazel Salve cures piles.

Gave Some Damaging Testimony. MASON, Mich., June 8 .- A sensation was caused in the trial of Attorney General Ellis on the charge of forging alterations to returns on the vote increasing his salary. W. H. Swoods, formerly clerk of the board of state auditors, testified that he made certain alterations charged on the express

Webster City Merchant Burned. WEBSTER CITY, Ia., June 8 .- (Special Telegram to The Bee.)-G. W. Foval, a prominent local merchant and ex-city official, was burned to a crisp this morning as

a result of a habit he had acquired of setting fire to the city jail when confined there for drunkenness. Twice before he started fires

DeWitt's Witch Hazel Salve cures plies