if he himself was on trial, and as if the board were acting as attorneys for the defense. The lapse of memory of my two other witnesses, who had been manipulated by Wright just previous to the hearing, was followed by a prompt dismissal of my protest, although I signified my willingness to bring additional testimony.

"You should have all your witnesses on hand if you want to make a case," was the declaration of the board.

Inasmuch as Wright's place was running in full blast without a renewed license at that time, I fail to see why the board should have shown such unseemly haste in dismissing the case. For the benefit of the board, which is so anxious to close all lawless resorts, the following affidavits in my possession are submitted as supplementary to the testimony in the Wright case:

State of Nebraska, County of Douglas, ss.:

J. D. Richardson, being duly sworn, deposes and says that he is a citizen of the city of Omaha and has been a resident of said city for more than fifteen years past; that he has at various times within the past six months, visited the saloon kept by John Wright on the corner of Twelfth and Dodge streets, and the room in the second story above said saloon, also kept by said Wright; and that these visits were made during the night-time on week days and Sundays.

Affiant further says that at the time when he visited the room over said Wright's saloon the said room was crowded with men who were engaged in shooting craps for money and in playing at cards.

And further deponent saith not.

J. D. RICHARDSON.

Subscribed in my presence and sworn to before me this 10th day of January, A. D. 1896.
(Seal.) WILLIAM SIMERAL,
Notary Public.

State of Nebraska, Douglas County, ss.

Charles F. Boyer, being first duly sworn, deposes and says that he is a resident of Omaha, Nebraska, and has been for more than nine years last past. Affiant further says that he has frequently visited the saloon of John Wright, on the corner of Twelfth and Dodge streets, in the city of Omaha, and also the room in the second story over said saloon, occupied by the said John Wright.

Affiant further says that at various times during the year 1895 affiant had, in said room above said saloon, witnessed games of chance for money, including cards and craps.

Affiant further says that said place was patronized by large numbers of both colored and white people.

Affiant further says that the wine rooms connected with the said Wright's saloon are patronized by both men and women of all colors, mostly in the night time.

And further affiant saith not.

C. F. BOYER.

Subscribed in my presence and sworn to before me this 10th day of January, 1896.
(Seal.) WILLIAM SIMERAL,
Notary Public.

The most suggestive incident of this more suggestive proceeding was the testimony of Chief of Police Sigwart. The police had made official reports concerning the number of disorderly resorts to the board; among these was the Wright place. Mr. Sigwart was asked to verify these reports under oath, but they were ruled out as improper. Your board claimed to have already dismissed them as against Wright, while finding them sufficient to refuse the license to other resorts of exactly the same character, which had made themselves offensive politically. Chief Sigwart then and there declared under oath that Wright kept an orderly place of business. What the chief would consider a disorderly place of business was not divulged on this occasion.

My third protest against Thomas Foley had, as already stated, been indefinitely postponed because, as alleged, Foley had not paid in his $1,000. It was finally set for hearing a week ago Monday morning. When I appeared before the board at the proper hour, I was informed that the board could not take up the case until afternoon of the same day. My failure to appear before the board in the afternoon, because of urgent business that required my presence elsewhere, was followed by the summary dismissal of the protest and the polite request that I submit further information on gambling houses and lawless resorts at a future time.

This action of your very honorable board was hailed with approval by your official organ, which pointed me out as a scoundrel, who was trying to hold up gentlemen who were engaged in a respectable calling.

The inference was, of course, that I had no proof whatever to sustain the complaints. Now it must have been known as well to your chief of police, if not to your seven detectives, as it is to myself, that Tom Foley's place is a gambling resort, where a great many victims have been plucked since your advent as police commissioners. In one instance, on Sunday night, November 3, a party hailing from western Nebraska, is reputed as having lost $620 before he quit the game. On Monday, November 18, a big game was played at the same resort, at which an army officer, whose name I will not divulge, lost $400. On Sunday evening, December 29, Foley's resort was the scene of a fight, which is known to nearly everybody among the sporting fraternity. This fact is verified by an affidavit in my possession, of which the following is a copy, omitting only the author's name for prudential reasons.

State of Nebraska, Douglas county, ss.

——being first duly sworn deposes and says that he is a resident of Omaha, Nebraska; that on Sunday evening, December, 29, 1895, between the hours of 5 and 6 o'clock p. m. he was in Thomas Foley's saloon at 1412 Douglas street, Omaha, Nebraska, and there were present Harry Hynds, William Carter, Charles Kosters and Walter Hubbard, that all of said parties had been drinking and were under the influence of liquor; that said Harry Hynds had a rough and tumble fight with Thomas Foley at said time and that said Foley sold intoxicating liquors during the whole of said day, and has sold intoxicating liquors on Sundays and after 12 o'clock at night to affiant's knowledge for several years.

Subscribed in my presence and sworn to before me this 9th day of January, 1896.
(Seal) ARTHUR B. DALE,
Notary Public.

Other sworn affidavits, bearing out my protest, are in my possession, but their publication is deemed superfluous in view of the attitude assumed by your board in cases much more flagrant. One instance will suffice. An atrocious crime was committed in this city some weeks ago by the assault and murder of the child, Ida Gaskill, by one George Morgan. At the trial of Morgan, on December 9, the following testimony was given by the accused prisoner:

On direct examination of George Morgan. Examination by Mr. Patrick.

Q.—What structure, if you know, stands on the southwest corner of Eighteenth and St. Mary's avenue. A.—Saloon.

Q.—Whose saloon is that? A.—Peter Stock's.

Q.—Are you acquainted with Mr. Stock? A.—I am.

Q.—How long have you known him? A.—About two years.

* * * * * * * * *

Q.—Where did you next see Willie Gaskill? A.—At the corner of Eighteenth and St. Mary's avenue.

Q.—How long did you remain there? A.—Just passed.

Q.—Where did you go from there? A.—Peter Stock's place.

Q.—How long did you remain there? A.—About ten or fifteen minutes.

* * * * * * * * *

Q.—On the Saturday previous to your arrest had you been drinking? A.—I had.

Q.—And during the day, Sunday, had you drank anything? A.—I had.

On cross-examination by Mr. Slabaugh:

Q.—You knew a man by the name of Stock, a saloon keeper, didn't you? A.—Yes, sir.

Q.—Known him quite intimately, hadn't you? A.—Yes, sir.

Q.—Frequently called on him, hadn't you, George? A.—Yes, sir.

Q.—And called on him a number of times Sunday, didn't you? A.—Yes, sir.

Q.—Where were you at noon on Sunday, the 3d of November, this year? A.—I was home.

Q.—And you mean by that near Half-Howard and Eighteenth streets? A.—Yes, sir.

Q.—How long were you there at home after noon of that day? A.—I don't know just exactly, I just come and went.

Q.—Well, how long were you there before you went? A.—I don't know exactly.

Q.—Where did you go to the next thing? A.—Went back to the saloon again.

Q.—Went to the saloon, then, about 12 o'clock? A.—Yes, sir.

Q.—Had you been to the saloon before that that day? A.—Yes, sir.

Q.—How many times? A.—Two or three.

Q.—Been drinking every time, hadn't you? A.—Yes, sir.

Q.—And was drinking the night before that, wasn't you? A.—Yes, sir.

Q.—Then, the first time after 12 you went to the saloon, how long were you there, if you remember? A.—I generally was in there about ten or fifteen minutes at a time?

Q.—Drank quite a number of times, didn't you? A.—One or two.

Q.—Then where did you go? A.—I would go back to the house again.

Q.—Now, how long did you remain at the house. A.—Sometimes half an hour, perhaps longer.

Q.—How long did you remain there that time about, the first time after you went back from the saloon. A.—I couldn't tell exactly, somewhere about half an hour.

Q.—Then where did you go? A.—Well, I would go back and forth to the saloon.

Q.—How many times did you go back and forth to that saloon, did you go by 3 o'clock, do you say? A.—I should judge I went there six or eight times.

Q.—And drank a number of drinks every time, didn't you? A.—No, not more than one or two at a time.

This testimony was, in substance, published at the time in all the Omaha daily newspapers. It was not contradicted or rebutted. It must have been known to the chief of police and his detectives as well as to your own members. But this saloon is running today, although, under the law, it was your duty to have revoked the license instead of reissuing it.

And you want more information about lawless resorts, do you? Here is a list of a few places where gambling is carried on, according to reports that I have no reason to discredit:

Henry Oerter's, Douglas street.

Tom Foley's, Douglas street.

Donelly's, alley north of Douglas, between Fifteenth and Sixteenth.

All of these places are said to have guaranteed protection.

Charlie Coleman's, Twelfth and Douglas streets.

Wright's, Twelfth and Dodge.

Saloon, corner Twelfth and Capitol avenue, up-stairs.

Professional poker games, 1610 Chicago, also 205 North Sixteenth street, rear of cigar store; 1609 St. Mary's avenue; Carter's old place, up-stairs.

All these places and others are notorious enough to be known to your police if they want to know anything which your board does not desire to know.

With this information before you I trust that you will see your way clear, either to redeeming your pledges of reform or to dropping all further pretense of reform.

E. ROSEWATER.

Omaha, January 15, 1896.

SOUTH OMAHA NEWS

The topic of conversation at the yards is the discriminating freight rates on live stock to South Omaha and the terminal charge of $1.50 a car. January 1 the railroad companies established a new system. Instead of charging so much per standard car, with 7 per cent added for thirty-four-foot cars and 10 per cent for thirty-six-foot cars, as has been done heretofore, each shipment is weighed and the transportation charge based on the actual weight of the commodity hauled. The railroad companies stated this arrangement would not advance the rates, but figures contradict this statement. An advance of $1 to $10 per car can be shown from many stations in Nebraska, and this does not include the terminal charge. It is claimed that this charge is not a new source of revenue for the stock yards company. The stock yards company has always paid $1 per car for switching and 50 cents a car for unloading or loading live stock, but this expense up to the 1st of January was absorbed by the railroads; now it is added to the expense bill and charged to the shipper. The exchange has appointed a committee to confer with the railroads and secure if possible a readjustment of the rates.

Magic City Gossip.

Miss Chloe Brown is down with the grip.

The Ideal club gives the third of a series of dances at Masonic hall this evening.

W. C. Harris of Sterling, Colo., was in the city yesterday, a guest of the yards company.

Jacob Byster, an employe in the Cudahy canning room, was badly scalded yesterday afternoon by slipping and falling into a tank of hot water.

There was a good attendance at the horse sale at the stock yards yesterday afternoon. Several fine horses were sold at exceptionally low prices.

J. J. Foltz, a feeder of Oberlin, Kan., was at the stock yards yesterday afternoon with a six load consignment of cattle of his own feeding. Mr. Foltz was well satisfied with the prices his stock brought and will ship here in the future in preference to Kansas City.

Enterprise lodge No. 79, Knights of Pythias, installed the following officers last evening: A. H. Murdock, C. C.; H. B. Fisher, V. C.; Z. P. Hedges, P.; R. A. Carpenter, M. of W.; H. A. Dickey, M. of F.; H. M. Christie, M. of E.; Sam B. Christie, K. of R. and S.

Yesterday afternoon Mayor Johnston and Councilmen Mies and Bulla met with C. J. Collins, local superintendent of the American Water Works company, to go over the reports of some alleged overcharges. A half dozen or more complaints were read and a thorough investigation will be made in each case before the next meeting of the city council.

A special meeting of the South Omaha Board of Trade will be called for Tuesday evening next in the council chamber, for the purpose of hearing a proposition from representatives of a heater manufacturing company. This company is now doing business at Des Moines and is anxious to move here. It wants a donation of land. An agent of the concern said that at least seventy-five men would be put to work in case a foundry was built here.

A meeting of the committee having in charge the charity ball, which comes off Friday evening, met yesterday afternoon and made several changes in the arrangements. The musical program at the First Presbyterian church has been slightly changed. Each ticket to the ball and entertainment will admit two persons to the musical and literary entertainment at the church, but only one person will be admitted on a ticket at the dance hall and supper. This action was taken for the sake of those who do not care to avail themselves of the dancing privileges and who do not feel like paying for the church entertainment alone.

WEEKLY PACKING HOUSE OUTPUT.

Movement of Hogs Has Been Irregular, but Fairly Lively.

CINCINNATI, Jan. 15.—(Special Telegram.)—Tomorrow's Price Current will say: The movement of hogs has been irregular, but in the aggregate fairly lively in numbers for the week; western packing, 440,000, compared with 380,000 the preceding week and 445,000 last year. From November 1 the total is 4,800,000, against 4,795,000 last year. Prominent places compare as follows:

Place.	1896.	1895.
Chicago	1,760,000	1,635,000
Kansas City	595,000	565,000
Omaha	299,000	352,000
St. Louis	245,000	248,000
Indianapolis	237,000	223,000
Cincinnati	151,000	176,000
Milwaukee	266,000	247,000
Cedar Rapids	102,000	97,000
Ottumwa	102,000	105,000
Sioux City	75,000	100,000
St. Paul	86,000	120,000
St. Joseph	57,000	93,000

One Minute Cough Cure is a popular remedy for croup. Safe for children and adults.

FAMOUS IOWA CASE CLOSING

Something of the Trouble Provoked by Little Ray Elliott.

AROUSED A WOHLE COUNTY TO ANGER

Two Families Insisted on Raising Him and the Courts Were Unable to Determine His Identity.

CEDAR RAPIDS, Ia., Jan. 15.—(Special.)—The last chapter in one of the most remarkable cases in the annals of the state will be enacted in the district court of this county at the present term, when Mrs. Thomas D. Burke will be tried for perjury, the case having been brought here from Iowa county on a change of venus. Mrs. Burke is the woman who said she was the foster mother of the lost Ray Elliott, and the perjury is said to have been committed during the habeas corpus proceedings in the courts of Iowa county, whereby Mrs. Burke sought to gain possession of the child.

Never before has a county been so stirred up as has Iowa county over these cases arising out of the disappearance of little Ray Elliott. The bitterness existing in Jones county for years over what was known as the "Jones county calf case" has been far exceeded in Iowa county, and the dissensions which have sprung up have influenced school and church affairs and even business matters and elections. People who have been friends for years became estranged, and the bitterness was so great that bloodshed was narrowly averted on numerous occasions. Even now, after everything has apparently assumed a normal condition, when strangers go to the town of Marengo and make any inquiries about the Ray Elliott cases the person interrogated will look wild and make sure no one of his townsmen is within hearing before he will venture to say a word, and then what he tells will be told in whispers.

REVIEW OF THE CASE.

That which brought about this condition of affairs is well known to every Iowan. One May day about three years ago Ray, the little son of Mr. and Mrs. George Elliott, poor but honest people of Marengo, disappeared. The town and surrounding country were searched, but the lad could not be found. It was supposed he had been stolen by gypsies, and although a big reward was offered for his recovery and return to his parents, not the slightest trace of him could be found and had the earth opened up and swallowed him he could not have been more completely lost.

A little over a year after the boy's disappearance, and while a camp meeting was in progress near Waterloo, an elderly woman one day came upon the ground, and going to the tent of a lady who lives at Waterloo, introduced herself and told her she had learned she desired to adopt a boy. She had a little fellow with her, who she said was an orphan and who she would leave with her for a week, when she would again call, and if satisfactory she would make arrangements to give the boy to her. She did not return at the end of the week, and the lady with whom she had left the boy came to the conclusion she had found the lost Ray Elliott. She made her belief known and the people of Marengo were notified. The boy was taken to Marengo, where he was declared to be the lost chold. Excitement ran high. Mass meetings were held in the public square, bonfires were built, speeches made and prayers offered and word went to the outside world that the long lost boy had been found.

ANOTHER PHASE DEVELOPS.

In a few days letters arrived from Ohio from Mr. and Mrs. Thomas D. Burke. They said that the boy was their foster son, and not Ray Elliott. They said the boy was one whom Mrs. Burke's mother had adopted from the Muscatine county poor farm and afterward given to them. That while on a visit to her mother at Independence they had had a quarrel and the child was taken from Mrs. Burke. Mrs. Burke, supposing her mother would soon forget and forgive and return the boy to her, left for her home in Ohio with no misgivings; but instead she had taken the child to Waterloo and gave him to the lady who had imagined him to be the lost Ray Elliott.

The people of Marengo could not believe these stories and when Mr. Burke arrived at Marengo shortly to regain possession of the boy he was arrested on a warrant charging him with abduction, bound over to the grand jury and thrown into jail. Feeling ran high and threats of lynching Burke were made. Then Mrs. Burke began habeas corpus proceedings to regain possession of the boy. The hearing of these cases was attended by the most intense feeling, threats even being made to lynch the counsel for the Burkes. The result was a partial victory for the Elliotts. The court did not pass upon the identity of the child, but declared him to be a ward of the court, and turned him over to the Elliott family under the evidence, and for the further reason that he believed it would be a better home for him than any that could be furnished by the Burkes, whom he did not consider suitable people to have custody of him.

MRS. BURKE'S CRIME.

The present case against Mrs. Burke grows out of the bitterness engendered at this trial, the charge against her being based on alleged false statements made by her under oath in the legal fight for the boy. It is held, however, that the false statements made by Mrs. Burke affected a trivial matter in her own personal history only, and had no real bearing on the case, and that there is a question as to the commission of perjury in making them, when the strict legal definition of that term is carefully regarded. Since the close of these trials the feeling in Marengo and Iowa county has subsided, and the people are more nearly in their right minds than they have been for years. Before the case was transferred to this county a petition signed by all the county officers, the members of the Board of Supervisors and seventy of the leading business men of Marengo was presented to Judge Wade, urging the dismissal of the case on the ground that it was very uncertain whether a conviction could be secured; that the people of Iowa county desired to be spared the expense of the trial, being content to let the matter go. Since the case has been transferred to this county, County Attorney Grimm has received a petition signed by about fifty of the leading women of Marengo, asking that the case be dismissed on the ground that Mrs. Burke has already had trouble enough; that she has been more sinned against than sinning; that her family needs her, and that the law of Christ impels forgiveness of sins rather than their punishment.

MRS. BURKE AS A PRISONER.

Since the indictment of Mrs. Burke she has been out on bail, yet at the same time nothing less than a prisoner, her bondsmen requiring that she remain with a couple of prominent ladies of Marengo. This she has done, and has conducted herself in such a manner as to win the respect and esteem of many of those who formerly looked upon her as a creature to be shunned and whose place was behind penitentiary walls. It is believed that her trial in this county will result in her acquittal, and that the Ray Elliott cases will be at an end.

Upon reliable information it is learned that the lad about whom there has been so much trouble has not the home that many people have been led to believe. The Elliotts are very poor people; Elliott has been a very hard drinker, if he is not yet. Their home is a most humble one, meagerly furnished, and the boy is allowed to play about the streets of Marengo, with dirty face, unkempt hair, thinly clad and with practically no care whatever. The general aspect of the home is one of neglect and indifference. The child bears not the slightest resemblance to the Elliotts, and the feeling is growing that he is not their son. Under these circumstances it is believed that the court will see fit before long to take the boy from these people and place him where he will have better care and attention.

Shelby County's Loss by Fire.

HARLAN, Ia., Jan. 15.—(Special.)—The Shelby county poor house, located five miles south of here, was totally destroyed by fire at noon today. It caught from a defective chimney. By hard work of neighbors the nine inmates were rescued and the other buildings saved. Loss, $5,000, well insured.

COULTER'S HEARING IS ENDED.

Judge Gordon Will Give His Decision This Afternoon.

The concluding arguments in the case of Jerome Coulter by the attorney for the defense were heard in Judge Gordon's court yesterday afternoon. After considerable wrangling between the attorneys on the subject of court etiquette, the points brought out in the evidence of the preliminary examination were reviewed. Mr. Andrews continued his same defense of Coulter along the line that there had been no evidence introduced to show that he was guilty of any defalcation. He dwelt especially upon that portion of the testimony of the state's witnesses given on cross-examination, in which they stated that Bolin had as free an access to every book and drawer in the office as Coulter. From this he argued that Bolin, as principal in the office, was the one upon whom the responsibility for the shortage ought to have been placed. Despite this, however, he said that Coulter had been thrown in jail, while Bolin had been allowed his liberty.

In answer to the proposition that Coulter must have committed an embezzlement when he signed checks and drew on them and did not make a record of the transaction, Attorney Andrews claimed that Coulter, according to the testimony of the defense, had put his signature to the checks and had them cashed under instructions from his chief.

Assistant County Attorney Day also went into detail in his argument, summing up the weight of the entire testimony which the state had introduced. He held that the evidence showed that Coulter had at least a knowledge that Bolin was embezzling money, and the presumption was that he had a hand in it himself. He ridiculed the idea that Coulter would have turned money over to Bolin under the latter's instruction without making some sort of entry on the books, if he was innocent.

At the conclusion of the arguments Judge Gordon stated that he would take the case under advisement and make known his decision today at 2 o'clock.

PART OF ATLANTA'S MIDWAY.

Indians Tarry in Omaha on Their Way Home.

The Indians who furnished the wild west show on the Midway Plaisance at Atlanta are quartered at the Colonnade, on their way home to the Rosebud agency. There are twenty-two of them, twelve braves, seven squaws and three papooses, led by Chief Stand-and-Look-Back. They will be joined today by their employer and will proceed this afternoon. They are all anxious to get back home, for the southern climate was not agreeable to them, and many of them are half sick. When they arrived at Atlanta they were laid up for several weeks on account of the climate, and three of the original company of twenty-five came back north without trying to stand it longer.

The chief wears proudly a medal which was given to his father for brave conduct in frontier troubles by President Jackson.

The interpreter, a full blood Sioux, is Valentine McKenzie, and the medicine man, Strong Wings. One of the company is For-Them, a first sergeant of Indian police.

SCAMPER FOR THE TWO-YEAR-OLDS

Coupon Came Through the Bunch and Beat Out the Favorite.

SAN FRANCISCO, Jan. 15.—The first 2-year-old race of the season on the coast and the second in the United States was pulled off at Ingleside today on a track that resembled a running stream, so great was the downpour of rain. The distance was three furlongs. Nine youngsters faced the flag, the Lone stables entry, Rey del Tierra and Modestia, coupled, being favorites at 6 to 5. It was forty minutes before Caldwell was able to get them off, the flag falling to a magnificent start. Rey del Tierra, who was first off, looked like a winner, when Coupon, with Doggett up, came like a bullet from the rear division, winning by three lengths. The winner is by Imp. Mattenhurst-My Badge and is owned by W. S. Hobart, the young multimillionaire. Coupon was 6 to 1 in betting.

The mile and an eighth handicap resulted in a big upset. Green B. Morris' colt, Star Ruby, was backed off the boards and managed to win by a nose from Semper Lex. The winner was disqualified, however, and the race given to Semper Lex. Semper Lex came very fast from last position in the stretch, and rapidly overhauling Star Ruby, was pulling away when Doggett deliberately pulled Star Ruby in front of Semper Lex, causing the latter to drop back. The judges promptly disqualified Star Ruby and awarded the race to Semper Lex. Logan, who finished third, was given second place. Semper Lex ran a magnificent race and if not interfered with would have won easily. Lizzie H was the only winning favorite, two second and two third choices winning the other events. The weather was stormy and the attendance large. Summaries:

First race, seven and a half furlongs, selling: Fortuna, 102 (Coady), 5 to 1, won; Artist, 110 (Ballard), 6 to 5, second; Gussie, 102 (Rowan), 10 to 1, third. Time: 1:40¾. Pecksniff, Fifi, Montalvo and W. L. Munson also ran.

Second race, mile and a half, selling: Foremost, 93 (Piggott), 2 to 1, won; Julia O, 96 (Garner), 2 to 1, second; Monita, 97 (McClain), 3 to 1, third. Time: 1:43¾. Red Root and Janus also ran.

Third race, three furlongs, 2-year-olds: Coupon, 107 (Doggett), 6 to 1, won; Rey del Tierra, 110 (Coady), 6 to 5, second; Mary K, 107 (Cochran), 6 to 1, third. Time: 0:37½. Modestia, Isola, Miss Howard, colt, Ingleside, Scarborough and Gordon also ran.

Fourth race, mile and one-eighth, handicap: Semper Lex, 112 (Chorn), 5 to 1, won; Logan, 110 (Ballard), 2½ to 1, second; Sir Walter, 90 (Hewitt), 50 to 1, third. Time: 1:58¾. Wawona and Imp. Star Ruby also ran. Star Ruby finished first, but was disqualified for foul.

Fifth race, six furlongs, selling: Lizzie H, 99 (Garner), 2½ to 1, won; Pearson, 104 (Chorn), 5 to 1, second; Heart's Ease, 99 (McHugh), 50 to 1, third. Time: 1:17¼. Daylight, New Moon, Paros, Walter J, Castanette, Story Lark, Long Lady and Canvasback also ran.

New Orleans Race Results.

NEW ORLEANS, Jan. 15.—Weather rainy; track heavy. Summaries:

First race, $250, for 4-year-olds and upwards, selling, fifteen-sixteenths of a mile: Van Brunt (9 to 5) won, McKee (7 to 2) second, Momus (6 to 1) third. Time: 1:42½.

Second race, $200, for 4-year-olds and upwards, selling, one mile: Mate (6 to 1) won, Leonard B (6 to 1) second, Ten Spring (8 to 1) third. Time: 1:50.

Third race, $200, for 2-year-olds, three furlongs: Ethel Farrell (6 to 1) won, Lillian Wilkes (8 to 5) second, Star Tobacco (4 to 1) third. Time: 0:40.

Fourth race, Ladies' handicap, 3-year-olds and upward, mile and an eighth: Florence P (4 to 1) won, Roosevelt (12 to 1) second, Blasco (3 to 1) third. Time: 2:01.

Fifth race, six furlongs: Domingo (8 to 1) won, Lawless (5 to 1) second, Burley Leaf (10 to 1) third. Time: 1:19.

Six Days Bullfighting Arranged.

EL PASO, Tex., Jan. 15.—The local committee which has secured a franchise for the bull fight in Juarez, Mexico, during the fistic carnival next month received a cablegram today from Madrid announcing that Senor Jose de Moreno, the most famous bull fighter of Spain's capital, has accepted the committee's offer to bring his troupe here for six days' bull fighting, to begin February 13. Julian will arrive from New York in the morning and he and Quinn will select a referee Friday.

Keeping The Location Quiet.

SAN ANTONIO, Tex., Jan. 15.—Martin Julian, manager of Bob Fitzsimmons, passed through San Antonio today from New York, en route to El Paso. Speaking of the report that the Mexican authorities would prevent the fight, Julian said: "Dan Stuart has the matter in hand and is not telling everybody where the fight is going to take place. He will keep quiet until the day of the fight."

Webster City Race Dates.

WEBSTER CITY, Ia., Jan. 15.—(Special Telegram.)—The third annual meeting of the Webster City Driving Park club will be held August 11, 12 and 13. The purses will aggregate in the neighborhood of $3,000. Webster City's club is the first in the circuit to announce its dates.

Valuable Trotter Changes Hands.

DUBUQUE, Ia., Jan. 15.—Keno F, trotting gelding, 2:12, who won the Flour City stakes of $10,000 at Rochester, N. Y., was sold today to a New Yorker, price not announced.

Des Moines Bankers Arrested.

DES MOINES, Jan. 15.—(Special Telegram.)—D. T. and J. H. D. Stanley, the proprietors of the Bank of Commerce, which failed yesterday, were arrested this afternoon on a charge of obtaining money under false pretenses, and on another of violating the banking laws. The warrants were sworn out by C. L. Coons, a student in Drake university, who had made deposits in the bank. They were given a preliminary examination, and held to the grand jury on both charges. They had difficulty in securing bonds, but finally did so.

ONLY AGREE ON ONE POINT

That is They Wish the Supreme Court to Settle Their Differences.

NORTHERN PACIFIC HEARING CONTINUED

Judges Request Attorneys for Different Interests to Prepare Orders They Desire for the Inspection of the Court.

WASHINGTON, Jan. 15.—Hearing in regard to the receivership of the Northern Pacific railway, which began yesterday before Justices Field, Harlan, Brewer and Brown, sitting in chambers, was continued today. Ex-Senator Spooner concluded his argument and was followed by Mr. Pettit, who is the direct representative of the railroad company. Mr. Spooner's argument today consisted principally of the citation of authorities favorable to the recognition of the jurisdiction of the Milwaukee court. He said in conclusion that he believed it would be in order for the supreme court to make a ruling in equity which would prevent such a complication in the future as had arisen in this case.

Mr. Pettit opposed the position of Messrs. Turner and Spooner. He denied the assertion that the receivers were appointed in the midst of a panic, declaring that a month's time was consumed in deciding whether to apply to the courts sitting in Milwaukee or in those of Chicago and St. Paul. He said the recognition of the Milwaukee receivership in the beginning was due to the fact that the parties who had applied for their appointment were in possession of the road, and of course turned all the property over to them.

Mr. Pettit's argument was for the recognition of the jurisdiction of the circuit court for the Washington district. He said that his choice was controlled in the matter by the fact that the railroad company had more property in that jurisdiction than in any other.

Mr. Choate, who appeared for the Adams committee, representing the bondholders, defended the jurisdiction of the Milwaukee court.

The justices asked the several attorneys to prepare such orders as they might wish to have promulgated, to be submitted to them at a future meeting which the justices would hold for consultation.

COMMISSION SCORED A POINT.

Testimony Before the Congressional Committee Let In.

SAN FRANCISCO, Jan. 15.—The California Railway commission won a point today in the injunction suit now pending in the United States circuit court, by which the Southern Pacific company seeks to restrain the commission from reducing the freight rates of the railroad. Judge McKenna ruled today that depositions and evidence taken before the congressional commission in 1886-1887, when various employes of the Southern Pacific testified to the railroad's cost and maintenance, may be admitted in the present proceeding. The depositions were objected to because the officials of the company made them in their private capacity as citizens, and not as officers of the company. The court overruled this objection, however, holding that the inquiry of the congressional commission took on sufficient official character to entitle it to be received as evidence in the present action. The court ruled, however, that while the depositions could be admitted the report of the congressional commission and the president's comments thereon in his message to congress are barred, as being merely conclusions of those by whom they were prepared, based on testimony taken.

The decision opens the door for a great mass of printed matter. The reading of the depositions will occupy many days.

VILLARD SUED FOR AN ACCOUNTING.

Allegation that He Sold Bonds and Pocketed the Proceeds.

NEW YORK, Jan. 15.—Complaint was filed today in the United States circuit court in the suit brought by the Northern Pacific & Manitoba Railroad company against Henry Villard for an accounting. The complaint alleges that the plaintiff company entered into an agreement with Henry Villard for the sale of first mortgage and Winnipeg terminal bonds. The defendant, who was president of the Oregon and Transcontinental Railroad company, caused the delivery of $1,075,000 worth of mortgage bonds to the Oregon and Transcontinental company, and the remaining first mortgage and Winnipeg terminal bonds were delivered to himself. The total value of all bonds delivered is given as $4,675,700, which it is alleged the defendant has sold and received payment for. Of this sum he has accounted for $4,130,316, and it is charged the defendant has realized from the sale of the bonds $545,433 over and above all just charges and disbursements. For this and other sums the plaintiff asks that Mr. Villard be required to make an accounting.

Anti-Funding Bill Convention.

SAN FRANCISCO, Jan. 15.—There will be a state convention held here Saturday to protest against the passage by congress of a funding bill for the Pacific roads. Mayor Adolph Sutro of San Francisco, who has been bitterly fighting the South and Central Pacific for years, is the prime mover in the agitation against the Southern Pacific and in addition to calling a state convention has maintained a bureau in Washington at his own expense to keep him informed of the efforts of the "octopus," as he calls the Southern Pacific, to influence congressional legislation. The convention will be attended by representative merchants and farmers from all over the state and in all probability resolutions extremely antagonistic to Mr. Huntington's railroad properties will be adopted.

Cutting Off Cartage Allowances.

NEW YORK, Jan. 15.—At today's meeting of the board of managers of the Joint Traffic association final action was taken upon the question of cartages at various points in the territory of the association. As a result all allowances of this nature will be substantially discontinued after February 1. The board divided itself into two committees, eastbound and westbound, the committee in charge of all eastbound questions to be composed of Managers Murray, Gray, Knight and Cochran, and the westbound committee to be composed of Managers Smith, Hegeman, Burton and Garrett, with H. T. Hayden chairman ex-officio.

The balance of the session was occupied with reports of the commissioners and in considering routine business.

LAKE CARRIERS IN CONVENTION.

Tonnage Represented Shows an Increase Over the Previous Year.

DETROIT, Jan. 15.—Members, representing easily $100,000,000 of property, are present at the annual meeting of the Lake Carriers' association, which opened shortly before noon today. All the leading lake ports are well represented. The reading of the annual reports showed a tonnage in the association for the year of 617,880 tons, compared with 520,800 for the year ending March 31, 1895. The dues of 3 cents per net registered tonnage were mostly paid up. Thirteen thousand seven hundred and ninety-five men had been shipped according to the reports. It was estimated that a saving of over $50,000 had been effected by several owners purchasing fuel where they pleased, according to the action taken at the last annual meeting.

The report of the board of managers paid elaborate tribute to the services of the late General Poe; suggested the adoption of a system of control at outlets of the lakes, in order to maintain uniform depths of water, and called attention to the vital importance of the plan for deep waterways to the sea as regards their probable effect in lowering through carrying rates from the west to the seaboard.

In his opening address, President William E. Livingstone suggested that the Detroit bridge matter and other important questions be discussed in executive session, thereby allowing a more liberal expression of opinion.

On motion of Harvey D. Goulder of Cleveland a committee was appointed to ascertain the probable effect of bridging the Detroit river and as to the comparative amount of freight carried through and across that river respectively with the average cost of transporting the same.

Officers were chosen as follows: President, J. J. Brown, Buffalo; first vice president, Harvey H. Brown, Cleveland; secretary and treasurer, George P. McKay, and counsel, Harvey D. Goulder.

Investigating Charges of Rate Cutting

CHICAGO, Jan. 15.—A meeting of the transcontinental lines was held today for the purpose of considering the charges of cutting rates to California made against the Southern Pacific. These charges are to the effect that the Southern Pacific has been allowing the holders of second-class tickets to ride in first-class cars, and also has been allowing them sleeping car privileges. Nothing definite was decided upon, and the matter went over until tomorrow.

Trying to Settle the Coal Rate War.

CHICAGO, Jan. 15.—Receiver Trumbull of the Union Pacific, Denver & Gulf was in the city today in consultation with President Ripley of the Atchison road over the fight in coal rates now in progress in Colorado between the two lines. The matter had not been adjusted at nightfall, and although the chances are favorable for an agreement, it is not an assured fact as yet. A second meeting will be held tomorrow.

Half Fare to the Fight Carnival.

CHICAGO, Jan. 15.—The Western Passenger association has voted a rate of one fare for the round trip to El Paso for Dan Stuart's fight carnival in February. The canvass was made in the Western association on a tender of the roads running south and southwest from St. Louis, which adopted a similar rate about a week ago.

Baggagemen in Session.

SAN ANTONIO, Tex., Jan. 15.—The annual convention of the railway baggage agents is in session here today, with 300 delegates present.

The fourth annual convention of the State Stock Men's association is also in session 700 strong.

The standard cure for cold and cough, Dr. Bull's Cough Syrup, should be kept by every mother who loves her darlings.

PERSONAL PARAGRAPHS.

General Manderson left for the west yesterday afternoon.

E. J. Mally of the Western Union is registered at the Paxton.

Mr. and Mrs. C. E. White of Hastings are guests at the Paxton.

Frank C. Condon is confined to his home with a severe attack of the grip.

Louis Meyer, advance agent for the "Kisme" company, is at the Paxton.

Division Superintendent Bignell of the Burlington at Lincoln is at the Paxton.

Mrs. Guy Barton has returned from Chicago and eastern points after a trip of several weeks.

C. H. Grinnell, B. F. Perkins and E. E. Lonabough of Sheridan, Wyo., stock shippers, are at the Paxton.

Arthur Smith, assistant passenger agent of the B. & M., left for Kansas City last evening to be gone several days.

United States Marshal W. W. Eller of Atlantic, Ia., P. F. O'Connell, A. Block and O. W. Brown are registered at the Arcade.

Max Meyer left last evening for Chicago, where he goes to attend a meeting of the Wholesale Jewelers' association. He will return Monday.

At the Murray—J. H. Baird, Chicago; Otis A. Pool, Yokohama; R. V. Simms, M. C. Noyes, C. A. Kutzon, Chicago; J. D. Draper, Marion, Ia.; P. Murphy, St. Louis; William L. Rose, Chicago; N. S. Jacobs, Des Moines; J. W. Dennis, New York; Frank B. Hooper, W. R. Ford, Chicago; A. B. Hunt, Kansas City; A. Letchworth, Philadelphia; F. B. Crosby, Toledo, O.; Manfred Meede, Chicago.

Nebraskans at the Hotels.

At the Merchants—R. M. Thompson, Sutton; Frank Roberg, Frank Bell, Carroll; E. J. Waddle, Aurora; P. L. Haworth, Ord.

At the Arcade—H. B. Austin, Hemingford; T. F. Allen, Petersburg; Henry Keets, Schuyler; D. F. Cooksey, Oscar Eng, St. Edwards.

INVESTIGATING HARNEY PEAK CO.

Representatives of the English Stockholders Taking Depositions.

DEADWOOD, Jan. 15.—(Special Telegram.)—Edwin Vancise of Deadwood and M. W. Potter of New York, attorneys representing the English stockholders of the Harney Peak Mining company, are now in the southern Black Hills taking the depositions of parties familiar with the sales of mining claims to that company and the inside workings of the corporation. Some months ago the English stockholders instituted suit in the United States court for New York against the American stockholders of the concern, alleging that the Americans in purchasing a great number of claims in the vicinity of Hill City perpetrated a fraud upon them by representing them to be valuable claims, paying as high as $2,000 for some of the claims, which was paid by the English stockholders. The suit involves several millions of dollars and will come up for trial in a few months. The dean and others of the faculty of the Dakota School of Mines have for some weeks past been investigating the character of the mines purchased, presumably in the interest of the English stockholders, and their report promises to cause something of a sensation.

Immigration Convention.

MITCHELL, S. D.,