AID INVESTIGATION

League of American Municipalities Will Assist Mr. Wright.

LIGHT NEEDED ON MUNICIPAL OWNERSHIP

Convention of City Officials Endorses the Proposed Work of Statistical Department of the Bureau of Labor.

American Municipalities redeemed itself this part: morning to some extent from the effects wicked Grover Cleveland, who, as you say, of its questionable action of yesterday after-

vantage to consumers in the municipal own-ership and operation of water, gas and elec-that statute.

tric lighting works, and,
"Whereas, Such an investigation by the expert and impartial authority of the United
States Department of Labor, which can reach every municipality in the United States, is
sorely needed and will have a vital and farreaching influence in correctly guiding pubreaching influence in correctly guiding pub-He pelley on this question of paramount importance to all municipalities; be it, there-

facilitate this investigation in their respective municipalities and to make the information collected complete and accurate.

affilm that you have never voted any other than the straight party ticket.

"As the matter stands, every unprejudiced."

and the managers of all public service corporations should promptly and cordially do whatever may become necestary on their part to expedite the work of this investigation, to the end that through it statistics may be secured that will be deficite of President Harrison on account accepted by all persons as a reliable basis for comparison."

foreible speech on the necessity of getting fame into the remotest corners of New more light on this important subject, and Mayor Moore of Youngstown, O., and Mayor Moore of Youngstown, O., and Mayor Green of Bringhamton, N. Y., followed him me for coveting a little of it? Do not Papers were read at the morning session on "The Filtration of Water," by Engineer Weston of Providence, R. I., and on "The Conservation of Sanitary Sewers," by Alexander Potter of New York City. The customary resolutions of thanks were also

DANGER OF STRIKE NOT YET OVER. Street Car Employes Will Resent Dis-

charge of Union Men. CHICAGO, Oct. 1 .- The danger of a tie-up of the lines of the City Railway company association will be held here October 19-21. car employes was held early today at Sixtythird and Halstead streets, and resolutions were un, ./imously adopted endorsing the organization of a local branch of the Amaigamated Association of Street Car Employes o America. The most important action taken. the power to the executive committee of the organization to order a strike without notice to the company. The plan of the executive committee to resent any further dismissal of employes was thus ratified, and future action was referred to that committee. was decided to notify Superintendent Bower of the Chicago Street Railway company that the cars of the company on the south are now run by union men and that an lajury

to one is the concern of all.

It is said that of the 4,000 employes of the Chicago City railway not more than 800 have so far affiliated themselves with the

On behalf of the men it is officially denied that a strike Sunday was decided upon that a strike under present circumstances contemplated. At the suggestion of E. Debs the aid of court injunctions will probably be invoked by the union. The president of the social democracy declares that the first opportunity has come for labor to use the restraining order, which has been the weapon of capital in the past. Interference with the formation or maintenance of a union of employes is forbidden by the Illinois statutes. is proposed to make a legal test with the street car company.

OVERESTIMATED THE FAIR ESTATE.

Deceased Met with Heavy Reverse in His Later Years.
SAN FRANCISCO, Oct. 1.—The Call say

today that the appraisers of the estate of the late James G. Fair have completed their task and will present their report to the probate court in a few days The report will show that the value of the Fair estate has been very much overestimated. Instead of being valued at from \$30,000,000 to \$60,000,000, the appraisers say the official figures will be about \$12,000,000 and certainly not more than \$15,000,000. These figures have been reached after seven months of continuous and careful work by the appraisers. Fair's fortune is invested for the most part in real estate the greater part of which is in this city, bu the principal item of the estate consists of \$4,000,000 in bonds of the Southern Pacific Coast railroad, built by Fair and now a parof the Southern Pacific system. The valua-tion of the Fair estate is significant in view of the testimony given by Fair in a trial several years ago in Yolo county, when is reply to a question he said he was worth at least \$30,000,000. It is evident that in the last few years of his life Fair sustained serilosses, the facts concerning which are

a Small Affair. SAN FRANCISCO, Oct. 1 .- According Consul General Miguel Carillo of this city and Consul Gene at Don Joaquin Yella of New York, who arrived on the San Blaz, the reports of the war in Quatemala have been greatly exaggerated. Consul Carillo says: "The revolution in our country is confined entirely to San Marcos, Quesaltenango and the port of Ocos. Port Ocos is a shipping place for the coffse crop and has a popula-tion of about 200 people. The other places may have 6,000 inhabitants, but that is doubt-

Dr. Joaquin Yells the consul in New York City for Guatemala, says: "I am more than su prived at the interest taken by Amer-icans in this little uprising. I can state officially that the whole thing is overdrawn. that the riot is confined to one or two it alguificant ports and that will be all con trolled within four weeks."

Five Tickets in the Field. COLUMBUS, O., Oct. 1.—The negro protective party candidates by petition today were

SCHURZ'S REPLY TO GALLINGER, Latest Letter in the Correspondence

Over Civil Service Law. NEW YORK, Oct. 1.-Carl Schurz has addressed another open letter to United

States Senator J. H. Gallinger of New Hampshire in the series which has grown out of the senator's attack on the civil service law now extended and on its supporters. The first portion of the document is taken up with a defense of the writer's political

Mr. Schurz says his principles have always emained the same, but the parties have changed their positions. He accuses Sena-tor Gallinger with misrepresentation in regard to the working of the civil service law, and indulges in severe personalities in COLUMBUS, O., Oct. 1.-The League of the same connection. Mr. Schurz says, in

by passing the following resolutions law but prostituted it to partisan ends. suced by Hon. Albert J. Boardman of "Of course you wish your constituents to

"Whereas, Hon. Carroll D. Wright, United States commissioner of labor, has announced that the object of this investigation is to enable municipalities and the citizens thereof to determine whether there is economic ad- senate whenever opportunity offered, and

and that at the same time you urge th republican party to redeem the pledge, bind ing it to enforce the civil service law hon "Resolved, 1. That this conference cor- law altogether. It is a somewhat unpleas dially approves of the investigation as set ant question to ask a senator, but it must forth in Mr. Foote's paper, to be made for the purpose stated by Hon. Carroll D. Wright, or a game to be played by an honest man? United States commissioner of labor.

'2. That the delegates to this conference tender to the United States Department of Labor, and to its duly accredited agents their co-operation in every practical way, to common felon. Nor will it be sufficient to auggest that it will not be a sufficient answer to this question to cry out that the person asking it is a 'traitor' of a 'renegade,' or, even if you please, a their co-operation in every practical way, to common felon. Nor will it be sufficient to

formation collected complete and accurate.

3. That it is the sense of this conference that the executive and legislative officers of all municipalities and the managers of all public service corporations should promptly and cordially do a heartest should promptly

this investigation, to the end that through it defience of President Harrison on account accepted by all persons as a reliable basis of a consultship, of which your biographers comparison."

Boardman supported the resolution in a offices and revenue places have carried your results, appeals on the president acceptance of the resolution of the resolutio Green of Bringhamton, N. Y., followed him me for covering a little of it? Do no with convicing arguments in the same tone.

Papers were read at the morning session which comes to me through the reflex of the passing given of notoriety which comes to me through the reflex of the passing given of notoriety. your renown, in having my name mentioned for a few days, together with yours in this public discussion. Truly yours, "CARL SCHURZ."

PROGRAM OF MISSIONARY MEETING Addreses by Many Prominent Workers to He Delivered.

MINNEAPOLIS, Oct. 1.- The fifty-first annual meeting of the American Missionary is not over yet. A mass meeting of street Tuesday afternoon, October 19, the presidenrill E. Gates of Amberst, Mass., and the annual survey will be read by Rev. Elljah Horr of Newton, Mass. Tuesday a sermon will be delivered by Rev. J. W. Cooper of New Britain, Conn. Wednesday morning there will be an address on the Chicese work by Rev. G. Huntington of Northfield. Minn.; on Indian work by President E. D. Eaton of Beloit college, Wis., and Prof. Free Briggs, and missionary addresses by Rev L. L. Taylor of Cleveland, O., and Rev Alexander R. Thain of Chicago. In the afternoon there will be addresses by Rev. Cornelius H. Patton of Duluth, Rev. G. G. Updike and Rev. H. A. Bridgman of Boston, and in the evening by Rev. J. G. Burgess of Crow agency, Montana, on Indiar work; Rev. C. W. Greene of Carbin, Ky, on "Work Among the Southern Highland rs;" Secretary G. H. Gutterson of Boston and Rev. J. E. Tuttle, D. D. Worceste

Thursday morning mountain missions will be considered by Rev. Clarence Swift o Lansing, Mich.; "Southern Church Work," by Rev. W. M. Barrows of Rockford, III. and "Finance," by Hon, Rodney Dennis of Hartford, Conn. A women's meeting will e held and addresses delivered by Miss da F. Hubbard of Knoxville, Colo., Flora Crane, Miss Ella Worden, Miss E. S. Williams, Mrs. E. C. Ellis and Miss Evans Thursday evening the concluding addresses will be delivered by Rev. William E. Griffis and President M. E. Gates of Amberst

SUDDENLY ENDS HIS HONEYMOON bly Successful Attempt at Saleide. NEW YORK, Oct. 1.—Dr. Robert N. Flagg. 8 years of age, of Yonkers, N. Y., who was married there last night, attempted to commit suicide today by jumping from a secondstory window of the Murray Hill hotel. His bride was in the room at the time, and she went to the hospital with him in the am Dr. and Mrs. Flagg reached the hotel about midnight, and after registering were assigned to rooms. Both appeared to e in good spirits and breakfasted about clock this morning. They chatted with each other and seemed not to have a care After breakfast they returned to their rooms and had been there only about fifteen minutes when Mrs. Flagg rushed screaming lown the stairs to the lobby of the hotel. Her husband had jumped out of the window Dr. Flagg was picked up. His skull had den fractured, his leg broken and he had received severe bruises of the body. He was carried into the hotel where his wife met him calmly. The ambulance surgeon said that the man was dying. Mrs. Plage, who was a Mrs. Turner of this city, is about 26 years of age and decidedly good looking. She said at the hospital that in conversation with her husband the latter had become greatly excited and rushed to the window to jump out. She tried to restrain him, but he thrust her aside and jumped. At Dr. Flagg's residence in Yonkers it was said that who he left home yesterday he was in a very nervous condition.

YOUNG BRIDE COMMITS SUICIDE. Somewhat of a Mystery Surrounds

Her Wedded Life. ST. LOUIS, Oct. 1.—Mrs. Lena Waters. bride of three months, committed suicide today by hanging herself at the home of her sister. She left a note reading: "May heaven forgive me, as I never meant to do wrong. Goodby to kind brothers and aisters. My watch to Lou." Not a word was left for the husband. Lena Ripley was married to Edward Waters in the latter part of last June. The

bride had a number of relatives and friends in St. Louis and the wedding was a large one. The bride's family say that Waters was a recent arrival here from Kansas City. They add that the couple have not lived together since the marriage. Further than this no reason is known for the deed.

five state tickets, with the gold democrats to come. The negro party, by mandamus, will try to compel the secretary of state to put Lincoln's picture at the head of their column in the ticket as their emblem.

New Surgeon General for the Navy. Union Pacific to arbitrate its difference with the lines of the Navy. Union Pacific to arbitrate its difference with the lines of the Western Passenger association and for DeWitt's Witch Hazel Sales Friend' is a familiar or as state trousurer.

State Treasurer Messers ways to have been surgeon general and chief of the Bureau of takes the stand that it will not arbitrate until the other roads have declared that they will not allow the Oregon Short Line any better.

The "Bicyclist's Beet Friend" is a familiar or as state trousurer.

State Treasurer Messers ways to have been surgeon general and chief of the Bureau of takes the stand that it will not arbitrate until the other roads have declared that they will not allow the Oregon Short Line any better.

General Manager Savin Announces Some of the Plans of His Road.

QUINCY ROAD'S ENTRY INTO OMAHA

General Officers Reach the City and State that the East Omaha Terminal Facilities Will Not Be Used.

The new railroad from Quincy, Ill., to the Omaha, Kaneas City & Eastern railroad land secured under the act of 1862, on which and the Omaha & St. Louis railroad enter the Union Pacific was built west from this

in the city yesterday, and transacted considerable business. In an interview, the former said: "I cannot tell just when we or disposing of the land. shall get into Omaha, but when we do it will be over the Union Pacific bridge. The impression that we're coming into Omdha over the bridge of the Omaha Bridge & Terminal Railway company is entirely erroneous. The matter of an entrance into Omaha will not be settled until we get our new equipment and new trains from Council Bluffs to Quincy in service.

ORDERS NEW EQUIPMENT. "The company has just given an order for will include ten heavy locomotives, six-wheelers, now being built by the Rogers' Locomotive company, a big lot of freight cars, and something brand new in the line of chair cars for passenger service. The contract for building the new chair cars has just been awarded to a concern in Dayion, O. A portion of the cars will be de-voted to the reclining chairs, and in another part there will be separate compartments for parties that cannot afford state rooms engines will all be of the same pattern and will be used in both freight and passenger service. They will be more powerful than

anything we have on the line now.
"On Monday morning seventy-five men will begin work at a point just east of Trenton, Mo., laying new rails. We have ordered a sixty-five-pound rail that will take the place of the old rail for a stretch of forty miles from Trenton eastward. Later on we expect to put some money in improvements at this end of the line. One of the first of these will be the erection of some new depots at points on the Omaha & St. Louis where the depots are now nothing but ramshackle affairs. I believe The Bee has already announced that the headquarters of the road will soon be moved from Quincy and Council Bluffs to Milan, Mo. The removals will take place as soon as the new building at Milan is completed. We are also about to construct a twelve-stall round house at Milan, and after that is built we shall lay out a car-yard and trackage capable of accommodating 350 cars. The great advantage of the ocation of headquarters near the center of the railroad is that it will take less time to each either terminus and more easy to operto the trains than at either end of the line.

REMINDS ENGINEER OF ORDERS iew Device Intended to Prevent Railroad Accidents. ST. PAUL, Oct. 1.-A very ingenious and aluable contrivance for the saving of life by preventing railroad accidents through orgetfulness of trainmen has been invented. The machine has just stood a very severe est on the Great Northern railroad, after naving been previously operated successfully n the St. Paul & Duluth road. Practical allroad men in this section have given strong etdorsements to the device after seeing it work. The object of the device is to provide an accurate and reliable reninder signal and distance indicator for occumotives, by means of which engineers re prevented from forgetting their train adders as to stopping or meeting points. The nechanism is simply but positively conected with the forward trucks of the engine hereby accurately measuring the distance raveled, the dial, placed in front of the ngineer, showing correctly the distance raycled. Above the smaller of the two hals are placed fifteen triggers or dogs olvoted at equal distances around the center. When the engineer receives his orders he sats ne or more of these triggers to a point one mile short of the distance to be traveled be-ore reaching a stopping place. The mileage ndicator, on reaching such point, releases he trigger, which starts a signal whistle clowing. This continues to blow for one uarter of a mile, promptly warning the en-tineer of the near approach to his stoping place. If the engineer is inattentive and fails to stop when the last mile has been run over the machine sets the air brake and stops the train for him. A train similarly to pay a portion of the cost of moving the equipped coming in the opposite direction booths, but the commissioners fell back on would be stopped in the same manner and a the strict letter of the law and declined to formy weather or for darkness the device is onsidered especially valuable for ordinary day directing the Board of Public and use, although its life-saving feature was to move the booths, it was lost by the point at first sought for by Mr. Wallace, vote, Bechel, Burmester, Mercer and cad use, although its life-saving feature was he point at first sought for by Mr. Wallace. After a trial on the St. Paul & Duluth and epeated trials on the Fergus Falls division the Great Northern the new invention was given an unusual test on the recent trip of President J. J. Hill to the coast and back. For this trip one engine, No. 663, with En-gineer John Kilbane, for the entire trip was tried, and the new life-saving device was on the engine. For the 1,820 miles to Scattle on the Great Northern, 197 to Portland on the Northern Pacific, 450 to Spokane on the Oregon Railway and Navigation company, and through Montana back to St. Paul, the ! new device measured all distances with ac-curacy, and by other tests completely demonstrated its ability to do all claimed for it. President Hill has approved it with considerable enthusiasm, as have other officials of his road. During the past few months this new device has been used successfully on over 7,000 miles of road. A pecular

AFFECTS THE SOUTHERN PACIFIC. on judiciary and the c ty attorney. The Board of Public Works was instructed Kentucky's New Constitution

Off Special Privileges. FRANKFORT, Ky., Oct. 1.-Last Tuesday, the day on which the new Kentucky con stitution became six years old, was the day on which the law says all parts of charters in conflict with the new constitution and new corporation law stand repealed. The Fauditor and other state officials have just oncluded that this repeal affects special privileges contained in the charter of the Southern Pacific company. Thus this com-pany is put upon the same footing with all other corporations, including those chartered since the adoption of the constitution and which must pay a franchise tax.

Union Pacific Stands Out CHICAGO, Oct. 1 .- Attempts to get the

OVER UNION PACIFIC BRIDGE commissions than they have been granting to the Central Pacific. The Union Pacific intimates that if the western roads will take this action it will at once consider the advisability of joining the Western Passenger association and will withdraw its large commissions on north Pacific coast busines. Otherwise the Union Pacific will continue to be an outside road and will continue pay such commissions, as It chooses and run its business with an eye to its interest alone and without considering the interests of any other line.

SUIT TO COMPEL AN ACCOUNTING.

Union Pacific Land Grant Called Into Question.

The Union Pacific officials in this city are being served with a summons from the district court of Arapahoe county, Colo ado, Council Bluffs will not cross the Missouri the suit brought recently to force the Union river on the East Omaha bridge of the Omaha Pacific and the Denver Pacific Telegraph and Bridge & Terminal Railway company. When Railroad company to account for the grant of

Introduced by Hon. Albert J. Boardman of Introduced by Hon. Albert J. Boardman of Impact of the Course you wish your constituents to understand that you tairly yearn for a really 'honest' enforcement of the law and that you tairly yearn for a really 'honest' enforcement of the law and that you tairly yearn for a really 'honest' enforcement of the law and that you tairly yearn for a really 'honest' enforcement of the law and that you tairly yearn for a really 'honest' enforcement of the law and that 'partisan ends' are a horror to your particulate soul. Do you not again presume upon the supposed ignorance of the people of New Hampshire? They need only open the Congressional Record to find that on March 23, 1897, less than nine months after the republican party had reiterated its solumn pledge, you spoke in the senate the republican party had reiterated its solumn pledge, you spoke in the senate the republican party had reiterated its solumn pledge, you spoke in the senate the republican party had reiterated its solumn pledge, you spoke in the senate the republican party had reiterated its solumn pledge, you spoke in the senate to investigate the clyll service of this government. There is intendent Soule of the 'Quincy Route' were brought to compel an accounting from the company of the intendent Soule of the 'Quincy Route' were brought to compel an accounting from the supposed of the intendent Soule of the 'Quincy Route' were brought to compel an accounting from the supposed in the train-real time that you tairly yearn for a really 'honest' enforcement of the law and that will be via the Union Pacific Company of the Suit is instituted by Robert E. Carr. Marry P. Evans, William G. Evans, Evans E. Evans and Anne Evans again the Union Pacific variety particular and that variety and created considerable been accepted as a certainty that the line from Quincy would be the first railroad to create the republican party had reiterated its solumn pledge, you spoke in the senate the constant that the Union Pacific variety p brought to compel an accounting from the road, and is to restrain the Union Pacific road, and is to restrain the Union Pacific officials or the other defendants from selling

CHICAGO, Oct. 1.-The Atchison road is confident of securing the bulk of the California traffic over the southern routes this winter. The action of the Southern Pacific in advertising the withdrawal of the Sunset limited between San Francisco and New Orleans leaves the limited trains of the Atchison, which will be run twice a week and pos-sibly three times per week after the holidays, worth of new equipment. This the fastest train via the southern route. The lude ten heavy locomotives, six- Southern Pacific has made arrangements with the Alton, Iron Mountain and Texas & Pacific to run a limited train through to the coast, but because of the longer route it is not likely

Family Mileage Book Law Valid. LANSING, Mich., Oct. 1 .- A suit brought two years ago by H. C. Smith agalost the Lake Shore Railway company, involving the in the sleeping cars. The new style of chair car will be a decided innovation but I think it will prove popular. We hope to have the bulk of our new equipment in service within six weeks. Six of the new state supreme court, which decides that the state supreme court, which decides that the engines will be delivered within the next legislature has the power to enact such a twenty days, and the rest later on. The ery, Jutices Long and Moore concurring and Justices Hooker and Grant discenting. The ticket issued under this act is good for two years from the date of issue.

Rumor Probably a Canard. It was stated in both the operating and

the passenger departments of the Union Paific yesterday afternoon that no advice concerning the cunning of the Southern Pa-cific's "Sunset Limited" train via Chicago, cific's "Sunset Limited" train via Chicago, Omaha and Ogden had been received. Those in charge of the passenger department ridi-culed the idea that the "Sunset Limited" would be run this way even during the con-tinuance of the yellow fever plague at New Orleans. They were inclined to look upon the report from San Francisco as a canard.

Hartshorn, vice president of the Lehigh Valleneral Orlando Smith succeeds Mr. Garrett

Railway Notes and Personals. Chief Engineer George H. Pegram of the Union Pacific and Mrs, Pegram arrived home Thursday after a delightful bridal through New England and Canada.

For the Nebraska Day celebration at the Nashville exposition the railroads have an nounced a half rate, good going on October 5, 6 and 7, good to return leaving Nashville

on October 8 and 9. General Manager Dickinson, Freight Trafhe Manager Munroe and other officials of the Union Pacific, who have been in the east or some time, are expected to leave there

The railreads ale looking to a heavy bus ness to Omaha on October 8 on account of the meeting of Joe Patchen and Star Pointe on the track of the Omaha Fair and Speed association. A one-fare rate has been ended to all points within a radius of eighty miles of this city by all the railroads.

PROCEEDINGS OF THE CITY COUNCIL

People of Omaha May Have No Plac to Vote on Election Day. At a special meeting yesterday ity council refused to order the Board of Public Works to have the election booths moved upon the streets to be in readiness for the registration of voters. If the present position of the council is maintained the seeple will have no place to vote on the first Juesday in November.

There has been a good deal of objection on the part of members of the council to paying the expenses of an election in which he city has no interest. An effort was made to induce the county commissioners to pay a portion of the cost of moving the collision prevented. The device can be made act in the matter. The city has no money to run forward or backward. For foggy or that can be spared for the purpose and when a resolution was introduced voting for the resolution, and Burkley, Bingham, Stuht and Lobeck against it.
On the recommendation of the city en

gineer, final estimates on the new avenue sewer and the repairs on the Eleventh treet viaduet, amounting to over \$10,000 were approved. Compiroller Westberg notified the council

that he had not included the salaries of the fire department in the regular appropria-tion ordinance, as the aggregate was \$3.-944.44 more than the balance in the fund Burkley offered a resolution transferring \$5,000 from the general to the fire fund and this was adopted. The separate ordinance containing the salaries of the firemen was then passed.

City Clerk Higby called attention to fact that a petition with seventy-five a'gnatures had been filed, asking the council to submit the question to the voters at the coming election whether the initiative and been made with the inventor's working referendum law passed by the last legis model. The motter was referred to the committee

> lays' leave of absence.
>
> The ordinance provising for repaying Furim from Thirty-sixth to Fortieth street was

passed and the Board of Public Works will advertise for bids at once. In returning the regular salary ordinance, the finance committee recommended that the amount of President Bingham's salary as acting mayor be deducted from the salary of Mayor Moores and that the salary of J. A. heverly, superintendent of streets, be reduced from \$190 to \$75. Both recommendations were rejected and an additional item of \$25 for back salary for Beyerly was also ordered included in the ordinance.

Introduction of Ev'dence in the Trial Commenced Yesterday Afternoon.

TWELVE MEN SELECTED TO TRY THE ISSUES

Attorney General Smyth Makes His Statement_Defense Contends that State Treasurer's Bond Was Illegal.

James Carroll, carpenter, South Omaha William D. Grant, blacksmith, Thirtieth street and Lindsay avenue.

Gus Falk, painter, 2808 Cass street, L. J. Howard, printer, Maple street. Andrew J. Welander, shoemaker, 1210 Dodge street,

Charles Barrick, warehouseman, Fourth and Bancroft streets. A. J. Bartlett, farmer, Waterloo. Henry M. Leonard, employe in railroad reight house, North Forty-second street,

James C. Pierce, hotel clerk, Drexel hotel.

Jefferson Banks, driver, Twenty-eighth and Wirt streets. Charles Madsen, office clerk, Sixth and Dereas streets.

Roy Garvin, 816 South 18th street.

The twelve men heretofore named have been selected and sworn to determine whether or not the bondsmen of defaulting ex-State Treasurer Bartley shall reimburse the state of Nebraska with the amount of Bartley's alleged embezzlement, \$555,790.68. The jury was finally selected shortly be-fore 11 o'clock yesterday morning. It was the result of the work of a day and a half, starting Thursday morning. In order to secure the jury thirty-one men passed under the close and rigid examining of the counsel for both

was expected to be, particularly from the de-liberateness with which the questioning of the jurors was first begun. The greater portion of the morning was oc-upled in selecting three additional jurors to fill the box, a half dozen of the panel being examined for that purpose. After the jury was sworn in the rest of the morning session was used by the counsel in outlining their plans of conducting the case.

SMYTH STATES THE CASE. Attorney General Smyth made a brief statement of the state's position. It was in effect that the suit was brought to recover from his bondsmen the amount of the defalcation of the ex-state treasurer. The embezzlement was from two funds, the permanent school fund and the general fund. The con-tention was that the shortage should be secured from the bondsmen, the attorney giv-ing no intimation in his statement that there was any doubt of the legality of the bond. On the other hand the counsel for the de-fendants set up as the defense that the bond was illegal. They maketaln that it was signed on January 3, 1895, by all the bonds was men except Thomas Swobe, William A. Paxton, sr., and Cadet Taylor of this city. It was presented on that day to Governor Holcomb who refused to approve. It is alleged that the bond was then taken by state officers to the office of the secretary of state, placed on file there and then the names of Swobe, Taylor and Paxton were secured. It was again presented to Governor Holcomb who refused to approve that the bond was then taken by state officers to the office of the secretary of state, placed on file there and then the names of action is based on a real estate deal between the parties.

Therefore they contend that they can not be expected to make good the shortage of Bartley as an individual since the bond was

furnished him as state treasurer. In addition to this defense another is made by Mary Fitzgerald that when she affixed her name to the bond she was insane, and that she never knew that she had done so. She alleges that her signature was secured good the sums he has been compeled to pay within an hour after her husband's funeral out to secure title. when her mind was unbalanced by grief.

BEGIN TAKING TESTIMONY. As soon as court convened for the after noon session the introduction of testimony was begun. The first witness to be called to the stand was Deputy Secretary of State O. C. Weesner. Before he was allowed to testify the defense made objection to the julisdiction of the court over the case and the that a very small number knew the identity persons of the defendants. The witness was of the man who had done most toward buildured for the purpose of identifying the house journal in which was recorded the canvass of the vote of the preceding election. vass of the vote of the preceding election.
the ourpose being to prove the election of Ak-Sar-Ben, however, recognized the inBartley as state treasurer, which fact was admitted by only Thomas Symbo fact was defatigable work of the master float builder

Bartley's official bond on file in the office of he secretary of state.

The signatures on the bond were identified by John H. Ames, E. E. Brown, C. C. Mc-Nish, Cadet Taylor and Attorneys Ransom, Manahan and Bartlett. The signature of Supreme Justice Norval to the record of the administration of the eath of office was identified. All of this evidence was preliminary

to the introduction of the official bond.

The defense was true to its contention that the bond, not being filed by the time fixed by law, Bartley never became in the eyes of law the state treasurer, and that herefore, the bond was not a legal binding locument. The objection was made to every point of the evidence and to the introduction of the bond that "it had no bearing in the case." The objections were overruled. The The objections were overruled. The matter is to be argued later. The bond and the oath of office were both

admitted in evidence. COWIN GETS SENSATIONAL

General Cowin gave the trial something a sensational flavor by recalling Deputy Sec-retary of State Weesner and intimating by his questions that the endo-sement on the back of the bond had been tampered with The main contention of the defendants is that the bond, to have been legal, should have been filed on January 3, 1835, the date Bartley assumed office, and they claim it was not N. B. Rairden will build a similar structure legally filed until January 9. On the back at 510 South Twenty-seventh street, and ry, 1895, and recorded on January 9, 1895. and his deputy. In this the "3d"

This is signed by J. A. Piper, recretary of will cost \$2.500. in darker ink than the remainder of the en-dorsement. Handing the bond to Witness Weesner, General Cowin seked:

ern frequently noticed in the office. It is the theory of the bondsmen that the end was really filed on January 9, 1895, but

that either that date has been erased and January 3 substituted or that the date had not been written in at all until some time after the rest of the endorsement, a space

m judiciary and the city attorney.

The Board of Public Works was instructed o repaye the gutters on North Sixteerth street adjoining the new government building any pay the expense out of the intersection fund.

City Electrician Schurig was granted three e made.

The book of session laws of the legis-lature of 1895 and 1896 was introduced in order to show the act under which Battley was authorized to transfer by warrant \$180,-101.75 from the general fund to the sinking fund to reimburse the latter fied up in the barkrupt Capitol National bank. Bartley was convicted and sentenced to twenty years in the penitentary for embezzling the proceeds of the warrant drawn for this amount. Ex-Deputy State Treasurer Bartlett was called to the stand to identify Bartley's

signatures on the voucher for the \$180,101.75 which was drawn in favor of the sinking

charge by a bailiff, Judge Powell announcing that it would not be allowed to separate during the remainder of the trial.

YEISER WANTS CHEAP TELEPHONE Seeks the Courts in an Effort to Get His Relief.

Notwithstanding the injunction of the Lin-

oln courts, restraining the State Board of Transportation from proceeding in the case crought before it by John O. Yelzer to compel the Nebraska Telephone company to reduce its tolls for telephone service. Yeiser is to have a telephone in his office for \$3 per month, or the officers and agents of the tele-phone company will be domiciled in the Douglas county bastile at the will of Judge Scott. An order to this effect was made by Judge Scott yesterday upon the application of Yeiser, who appeared in court to telephone company to supply his office with a telephone at \$3 per month. In support of his application. Yeiser submitted his own affidavit in which he swore that \$3 per month was a reasonable charge for such service and that the company should be compelled to furnish him with a telephone and all the latest improvements, so that he could talk with his clients in New York and other distant points when his practice made it necessary. In support of his affidavit Yelser made an impassioned speech to the court in which he arraigned the corporation, insisting that \$3 was a reasonable charge for the service

furnished by the telephone company.

At the conclusion of Yelser's argument a colloquy ensued between the court and the attorney and several questions were asked, after which an alternative writ was ordered to issue, returnable October S. requiring the telephone company to furnish Yelser with a telephone in his office for \$3 per month or show cause on the date named why it should not be done.

SHIFTING THE OFFICERS AROUND. Reduction of Force Makes Police

Reorganization Necessary. The head officials in the police department have been busy during the fact two days in parties to the suit. The time employed in doing this was considerably shorter than it made necessary by the looping off of the recreanizing their forces. This has been heads of ten patrolmen, a turnkey, patrol conductor and four officers. The gaps thus caused have been filled as well as might be expected with the material at hand. In order to fill the vacancies left by the men dis-charged Officers Reigelman and White, formerly on conitary duty, have been called in and will be assigned to beats. Officer Byrnes, the last of the mounted men, will

also be given a district to patrol.

The present rolter of officers includes Captain Hoys, who takes charge of the night shift. He will be assisted by Sergeants King and Her. Captain Mostyn will assume control of the day men and will have but one officer on the regular force under him, Secgeant Bebout. It is probable that a man will be promoted from the ranks to the position of junior sargeant, but this as yet has not bee done. In addition to his duties as captain of the catrolmen. Mostyn will also assume the duties of chief of detectives while workng days.

WILLIAM STARK SUES JOHN WATSON

Alleges Frand with Reference to Real Estate Transaction. William Stark, who alleges that he live

the parties. was again presented to Governor Hol-comb on January 9, four days afterward, and was on that day approved by him.

the parties.

Stark, in his petition just filed in the United States court, says that he exchanged land in Change in Joint Traffic Board.

PHILADELPHIA, Oct. 1.—J. B. Garrett, third vice president of the Lehigh Valley railroad, has resigned from the Board of Managers of the Joint Traffic association. The reason for the resignation is that Charles Hartshorn, vice president of the Lehigh Valley. Therefore they contend that they can not showed him what purported to be an ab stract of title, which indicated that these sums had been paid as represented; but that after the deal had been made the plaintiff found that the abstract was a fraudulent on and that the taxes and interest were unpaid

BUILDER OF AK-SAR-BEN FLOATS.

Gus Renze Receives a Watch from Board of Governors. Of the quarter of a million spectators admired the Ak-Sar-Ben pageant and the other parades here last week it is probable

the ing the floats and making the pageants the success that they were. admitted by only Thomas Swobe of all the during the past six months, and at their defendants. The witness also identified meeting last Monday night called Gus A Renze before them and presented him with a handsome gold watch as a token of their appreciation of his efforts. The presentation speech was made by King Ak-Sar-Ben III. Edward Porter Peck, who took occasion to highly compliment Mr. Renze upon the success of the parades and extend to him the hearty thanks of the Board of Governors.

Another Fireman Gone. John J. Fitzpatrick, lieutenant of Fire Engine company No. 2, died at 2 o'clock yesterday morning of cancer of the stomach. He had been sick since last July. The deceased was 38 years of age and had been a member of the fire department since October 2, 1893. The deceased was promoted to the position of lieutenant on January 1, 1896. He leaves wife and two children. The funeral will be held next Monday morning at 9 o'clock from the family residence, 1116 South Thir teenth street, to St. Philomena's cathedral

Ninth and Harney streets. Permits for New Bulldings A number of permits for handsome dwell ings were issued by Building Inspector But ter yesterday. Dr. C. C. Allison will South Twenty-ninth street at a cost of \$2,500 the bond in evidence is the endorsement: George A. Joslyn has taken a permit to erect "Received and filed this 3d day of Janu- a two-story gate and gardener's house on his property at 3864 Davenport street, which

Most Excellent. Chamberlain's Cough Remedy is a pleasant expectorant syrup. It is intended es-"Do you not think that an erasure has pecially for acute throat and lung diseases made and that the '3d' has been in such as coughs, colds, croup and whooping such as coughs, colds, croup and whooping and is a most excellent medicine for

Marriage Licenses. Licenses to wed have been issued by ounty judge to the following parties: Name and Residence. A William H. Babier, South Omaha

the relief and cure of these diseases.

Myrtle Bryant, South Omaha Evan F. Evans, Council Bluffs Bessie M. Kidder, Pottawattamie Co., Ia. Charles Zanton, Omaha Ellen Holmquist, Omaha

Are You Nervoust

Ise Horsford's Acid Phosphate. Dr. H. N. D. Parker, Chicago, Ill., says I have thoroughly tested it in nervous dis eases, dyspepsia and general debility, and in every case see great benefit from its use.

Police Must Be More Careful. Manager Vance Lane of the Nebraska Telephone company wrote the chief of police yesterday, requesting that the officers be more careful in the use of the patrol boxes and

machinery. An order to this effect has been The Board of Fire and Police Commission

sloner Herdman voting "No" on the motion.

This City Declared to Be the Logical Point for the Session.

IRRIGATION CONGRESS FOR NEXT YEAR

Illinois Delegates Express Astonishe ment Over the Action of the Lincolnites Utah Dele-

gation Arrives.

L. H. Davis and Arthur P. Cutter, both of Chicago, and both delegates to the irrigation convention that just closed at Lincoln, passed through the city yesterday on their way home. Both men are trrigation enthusiasts and were greatly interested in the proceedings of the convention. They expressed the greatest surprise, however, at the fact that the session for next year had not been located in Omaha. Both were very positive in their expressions that Omaha was unquestionably the place where the next meeting should be held and they expressed their astonishment at the actions of the Lincoln delegates, who, they said, remained perfectly mute when the question of location was under discussion and Omaha was being urged as the location for next year. The Chicago men said that a little work on the part of the Lincoln delegates at the right time would have turned the tide in favor of Omaha and this city would undoubtedly have been chosen.

The visitors stated that Cheyenne had been elected for the next meeting, but they were firm in their conviction that this action would have to be reve sed if the meeting was to be made successful. They said that with the exposition in Omeha and the many gatherings of national bodies related in one gatherings of national bodies related in one way on another to agriculture and irrigation, it would be foolish to expect that anyone would go out to Cheyenne, on the extrema outer edge of the irrigation district, to attend a meeting. They stated that the executive committee of the irrigation congress was clothed with authority to relocate the place of meeting and they predicted that it would be found necessary for the committee to change the location and choose Omaha as the best place.

A party of six of the Utah delegates to

A party of six of the Utah delegates to irrigation convention just concluded at Lincoln arrived in Omaha Yesterday to confer with the exposition authorities regarding an irrigation exhibit which Utah people propose making as a part of the Utah exhibit. The party was headed by Lewis W. Shurtliff, vice president of the exposition for Utah, and Brigham Young, the son of the renowned leader of the Mormons. They were taken out to the exposition grounds by Prof. F. W. Taylor, chief of the Bureau of Irrigation. The entire grounds were examined by the visitors, who expressed the greatest surprise at the headway which was being made with the work. They exceptly examined the old fair ground tract, where five acres were selected for the plant which the Utah people will install and maintain in operation

CITY OFFICIALS MAY GO TO JAIL.

Judge Scott Demands that Cox Be Placed on Police Force. Unless W. W. Cox is reinstated as chief of he Omaha detective force before 10 o'clock his morning the whole Board of Fire and Police Commissioners, including the mayor, may be thrown into jail for contempt of court. An order to this effect was entered by Judge Scott yesterday when his attention was formally called to the act that the board had discharged Cox in he face of an order requiring the board to etain him on the force until the trial of

Judge Scott expressed himself in the most emphatic manner at the action of the board and arraigned the membe s for their tem ty in daring to violate his order of injunction He said he didn't propose to stand it and expressed his firm determination to find out whether the courts or the Board of Fire and Police Commissioners is the highest authority. He ordered Cox's attorney to draw up an order commanding the members of the board to immediately rescind their ction in discharging Cox and to restore him to the position stipulated in the temporary order of injunction. The attorney was in-structed to make the order returnable at 10 c'clock this morning. The judge re-marked that the sheriff had better prepare ave of his strongest cells for immediate occupancy unless the order was observed.

JOHN GETZ ENDS HIS TROUBLES. lody Indicates that the Man Took His

Own Life. The body of John Getz, who ran a little otion establishment at 2018 North Twentyfourth street, was found in the store room yesterday morning. The body was badly decomposed. It is supposed that Getz committed suicide by shooting himself. The deceased had lived at the number given for about three months. He formerly operated a store at Twenty-second and Cuming streets. He had been a resident

of Omaha for about ten years. He was un-married and was about 70 years of age. The body was discovered by Mesdamca Baird and Burnell, neighbors, who informed the police. Getz was last seen alive on Tuesday evening. His death is supposed to have occurred that night. The act was sup-posed to have been committed on account of ill health, as he had suffered from dropsy for a number of years. The deceased left \$500 on deposit in one of the local banks. A brother, H. Getz, who lives at Jordan, Minn., has been telegraphed.

CLOSING THE W WER WORKS CASE,

Judge Manger Will Not Hand Down His Decision at Once. The hearing in the water works case was closed yesterday afternoon and Judge Munger took the case under advisement. He at first thought he might be able to pass upon it at the close of the argument, but in the two weeks the attorneys have been arguing the matter so much has been in-troduced in the way of evidence and cita-tions that the judge feels he is bound to give some attention to these matters before

making his decision.

John L. Webster began the closing argument yesterday, and devoted his time to proving that the American Water Works company had no right to mortgage its fran-chise without the consent of the city. On this ground he alleged that the company for-feited its franchise and that it reverted back to the power which granted it.

Railroad Bonds Are Valid. The question of the validity of certain railroad bonds voted by Grattan township.

Holt county, a few years ago was yesterday decided by Judge Munger, who held the bonds to be all right. The case was argued last summer, the bonds being at-tacked on the ground that they exceeded the limit provided by law and that the proposi-tion did not receive the required number of votes at the election.

No man or woman can enjoy life or ac-complish much in this world while suffering from a torpid liver. DeWitt's Little Early Risers, the pills that cleanse that organ

Victor Koch, Twenty-second and Grace streets, who was released from police court a short time ago on a charge of assaulting Myrtle Holben, has received a letter threatening him with a horsewhipping. He has turned the letter over to the federal authori-

ers, in pursuance of instructions from Judge ties. Scott, met yesterday afternoon and reinstated Dr. Davis' Anti-Headache is superior in every way to all remedies for headacha-