

# PACKERS ARE RESTRAINED

Temporary Injunction Put in Force by Judge Grosscup.

## EVIDENCE AGAINST MEAT MEN

Affidavits Form the Basis of Allegations Presented to the United States Circuit Court—Temporary Writ is a Sweeping One.

Chicago, May 21.—The temporary injunction asked for by the government against the members of the so-called packers' combine is now in force. It was issued last evening by Judge Grosscup after the close of arguments in the United States circuit court room. The order gives the relief prayed for in the bill filed by District Attorney Bethea on May 1. It is so wide in its scope that if the packers or their agents continue with their present alleged uniform arrangement they will be taken into court on contempt proceedings and the burden of proof will be on them to show that they have not violated the order in any particular.

Little opposition was raised against the government's petition. Attorney John S. Miller, who was the sole representative of the packers, was present and pointed out some objectionable clauses in the draft of an order presented by Mr. Bethea. These concerned the alleged agreements for credit, blacklisting and cartage. Judge Grosscup thought some of these minor clauses had been made too prominent and he himself drew a form of order that pleased both sides. At the same time the order was entered, numerous affidavits and other exhibits were filed for the government.

The court room was crowded as it has seldom been before. General Counsel Miller sat alone to represent the defendants, though there were many office employees of the packers among the spectators. For the government, District Attorney Bethea was the leader and was aided by Solicitor General J. K. Richards and Special Counsel Day of Washington. District Attorney Bethea had read part of the bill before Judge Grosscup interrupted him with the statement that this would be unnecessary, as the court was already advised of the charges made by the government. Mr. Bethea then filed a number of affidavits. Attorney Miller next made a statement on behalf of the packers, and said that while he was not prepared to oppose the government's petition at present, he was authorized to submit to the entry of the order on behalf of his clients. Attorney Richards made a brief statement in answer to some of the objections raised by Attorney Miller. Attorney Day also spoke briefly on behalf of the government. At the conclusion of these remarks the order was taken away by Judge Grosscup for amendment, and later was filed.

Unless the defendants decide to make a fight at an early date in an effort to have the order set aside, they will have until Aug. 4 to make reply to the complaint. Attorney Miller said that he cannot tell whether a demurrer, a plea or an answer will be filed, though the first named is the most likely to be the form of the packers' defense. The subpoenas served recently on the defendants commanded them to file their appearances separately before July 7.

### Temporary Restraining Order.

The order as amended and entered by Judge Grosscup was as follows: "This cause coming to be heard upon the motion of the complainants for a temporary injunction, as prayed in said bill, and the complainants having exhibited their sworn bill to the court and divers affidavits in support thereof, no answer or demurrer having been filed thereto nor any affidavits in resistance thereof, and the court having heard the arguments of counsel, and being fully advised in the premises, doth order that the temporary writ of injunction issue restraining, until the final hearing or after the order of this court, the said defendants, their agents and attorneys, and all other persons acting or claiming or assuming to act under their authority, from entering into any contract, combination or conspiracy, the purpose or effect of which will be, as to trade and commerce in fresh meats, a restraint of trade or commerce among the several states, either by directing or requiring their respective agents from refraining to bid against each other in the purchase of live stock or collusively and by agreement refraining from bidding against each other at such sales, or by arbitrarily raising or lowering prices, or fixing uniform prices at which said meats shall be sold, or by curtailing the quantity of such meats shipped to such markets, or by imposing penalties for deviations from prices, or establishing and maintaining uniform rules for the governing of credit to dealers in such meats, or by imposing uniform charges for cartage or delivery of such meats to dealers and consumers, or by any other method or device, the purpose and effect of which is to restrain trade and commerce, as aforesaid, and also from violating the provisions of the said act of congress by combining or conspiring together to monopolize any part of the trade and commerce in fresh meats among the several states by receiving from the railroad companies or other common carriers transporting such fresh meats, either directly or by means of rebate, transportation at less than the regular rates which may be established or in force on their several

lines of transportation under the provisions in that behalf of the laws of the United States for the regulation of commerce."

### Betha Presents Proof.

The evidence presented by District Attorney Bethea when the case was opened consisted of a bulky batch of affidavits collected from persons formerly connected with the packing houses that have been made defendants in the suits. The affidavits were 20 in number.

The most important affidavit submitted is that of Daniel W. Meredith of Jersey City. For six years he was manager for Armour & Co. at Milwaukee and manager in Philadelphia for three years. Prior to working for Armour & Co. he had been with Swift & Co. Since 1893, he declared, the six general managers for the big companies have been accustomed to meet at least once a week in the city of New York to reconcile the differences between themselves concerning the operating of their business and also to consider the prices which they should place for the ensuing week on the meat products which should be sold in that territory; and for the purpose of considering the quantities of meats which each concern had on hand and "when the necessities of the trade would require they would agree to curtail their shipments of meat from Chicago, their design and purpose being to limit the quantity of meats in sight at New York and adjacent points and raise prices."

### ROOSEVELT AT THE ASSEMBLY.

President Addresses Presbyterians at Carnegie Hall.

New York, May 21.—Carnegie hall was crowded to the doors last evening with an audience eager to hear the address of President Roosevelt in the interest of Presbyterian home missions, the occasion marking the close of the centennial celebration. There were about 400 men and women on the platform. There was not a vacant seat, not a bit of standing room left in the entire auditorium. Hundreds were turned away. When President Roosevelt took his seat on the platform he received a great ovation.

President Roosevelt said, in part: "Coming up here tonight, I made up my mind to speak to you of the manifestations of the spirit of national righteousness, of something that has taken place this day and something that has happened within ten days. Of the action of this nation which culminated today in the starting of another new republic on its course. That has represented four years' work—blunderings and shortcomings in the work, of course; and there were men of little faith who only saw the shortcomings and the blunders—but it represents work triumphantly done. We have the right to feel proud that we have kept every pledge to the letter and established a new national precedent. I do not remember another such case, and I have looked for one with care—a case where, as the result of such a war, the victorious nation has contented itself by starting a new nation, free, on the difficult path of self government.

"That is one deed consummated to day. Now for the other. Ten days ago an appalling calamity befell another portion of the West Indian islands; territory belonging to two different nations; islands not under our flag but their need was great and this people saw the need and met it as speedily as possible. I am sure you feel proud that ships bearing the American flag should be among the first. I think the very first to take relief to those overcome by such disaster."

### Gaynor and Greene in Quebec Jail.

Quebec, May 21.—Colonel Gaynor and Captain Greene are prisoners in the Quebec jail. They were committed to the prison yesterday afternoon where Sheriff Langlier had prepared special quarters for them. The next step to be taken by the attorneys representing the United States has not been disclosed, but it is said they are not disconcerted by the present situation. They are confident that ultimately extradition proceedings will be successful and that Greene and Gaynor will be forced to return to Savannah and stand trial on the charge of defrauding the United States government.

### SPARKS FROM THE WIRES.

The National Biscuit company has closed a deal for the purchase of the Mount Cracker and Candy company of Kansas City.

Heavy rains fell Tuesday in eastern, northern and central Montana, greatly benefiting the range. Two inches of snow fell in the Gallatin valley.

The tobacco warehouse of Ligon, Allen & Co. at Mayfield, Ky., was burned Tuesday, with about 1,000 hoghead of tobacco. Loss, \$100,000.

All the iron molders in Spokane walked out Tuesday as a result of the refusal of their employers to concede a nine hour day with wages of \$3.50.

The president is about to issue a proclamation creating additions of several million acres to the Yellowstone and Teton forest reserves in Wyoming.

Captain Richard A. Collins, commander of the famous Confederate battery bearing his name, is dead at his home at Piedmont, Mo., after an illness of one day's duration.

Captain J. F. Merry, assistant general passenger agent of the Illinois Central railway, declares that Iowa's exhibit at the Louisiana Purchase exposition ought to be a magnificent corn palace.

The senate committee on isthmian canals has decided to report adversely on Senator Hoar's bill placing the matter of the selection of an inter-oceanic canal route in the hands of the president.

# GUBA IS NOW A REPUBLIC

Formal Transfer of Government Occurs at Havana.

## WOOD HAULS DOWN OLD GLORY

Former Governor General Hoists the Cuban Flag in Its Place as Act of the United States—American Troops Sail for Home.

Havana, May 21.—The United States has redeemed her promise to the world. Havana and Santiago de Cuba were yesterday evacuated by American troops, the reins of power were handed over to President Palma and now the government of Cuba is free and the whole island is delirious with joy. Dramatic as was the demonstration when the flag of the United States was lowered and the flag of the new republic hoisted in its place at noon yesterday on the palace whence Spain had ruled the island for centuries, it was hardly more stirring than the magnificent friendly demonstration which attended the departure of the cruiser Brooklyn as she sailed out of Havana harbor a few minutes before 4 o'clock yesterday afternoon.

General Leonard Wood personally hauled down the American colors, which were saluted, and with his own hands hoisted the Cuban flag, as an act of the United States, General Gomez assisting. The cheering which followed was caught up by the people on the roofs and rolled over the city. Again the cavalry below saluted, and again the guns of Cabanas spoke, this time with a national salute of 21 guns. The bands stationed on the plaza at Cabanas and at Malecon crashed out with pride of country and the revenue cutters and battleships in the harbor thundered their strength of war. The foreign warships hoisted the flag of Cuba to their mastsheads. The ensigns of Great Britain and Italy had recognized the republic.

The demonstration was still in progress when the cavalry wheeled and marched to the wharf, where they embarked on the Morro Castle. General Wood, with his adjutant general and two aides, were driven to the pier, where they entered a launch and were flicked away to the Brooklyn. Both ships got under way as soon as possible and steamed out of the harbor.

The anchorage of the Brooklyn was near the wreck of the battleship Maine, whose black, shrunken skeleton was decorated with American and Cuban flags by order of the city council. When the beautiful cruiser steamed slowly by this pitiful memory the ensign at her taffrail was dipped and the sailors generally doffed their caps.

The man at the taffrail of the Brooklyn was kept busy dipping the flag in answer to the salutes of the thousands upon the water front, who watched her departure. A large flotilla of various water craft escorted the Brooklyn to sea.

Before the Brooklyn was hull down on the horizon the Cubans resumed their festivities. There was a yacht regatta in the harbor, and ashore there was a review of 14,000 school children by President Palma. At noon a solemn high mass in honor of the new republic had been celebrated in all the churches of the island, and at 4 o'clock a te deum was sung at the cathedral. At the same hour the Cuban congress proclaimed the constitution. Last night the whole city was illuminated and a great pyrotechnical display was made from the walls of Morro Castle and Cabanas fortress.

The enthusiasm of the city was boundless. Many persons were literally mad with joy over their new born liberty. The streets were full of singing, cheering men and women. Motley processions paraded the plazas. Firecrackers of the giant variety were exploded on the sidewalks and even in the cafes.

One hundred thousand visitors were said to be in the city and the police were utterly unable to cope with the joy-intoxicated people.

While this was occurring at Havana, a similar scene was being enacted at Santiago, where General Whiteside, at Cuban, turned over the authority to his Cuban successor and sailed away with two troops of the Eighth cavalry. Only eight batteries of American artillery remained on Cuban soil. One chapter of American history was ended, and the first chapter of history of the Cuban republic was begun.

### Boer Delegates for Peace.

London, May 21.—Business was very buoyant on the Stock exchange yesterday afternoon owing to reports of the receipt of a private telegram announcing that the Boer conference at Vereeniging had voted in favor of peace on the best terms procurable, by a delegation to be sent to Pretoria to confer with Lord Kitchener and Lord Milner, the British high commissioner.

President Loubet in Russia. Peterhoff, Russia, May 21.—The imperial yacht Alexandra arrived here at noon. President Loubet led the way ashore and shook hands with the assembled grand dukes and officials. The president and the czar were then driven to the railroad station and proceeded to Tsarkoe-Selo. The president's reception everywhere was markedly warm.

Robber Kills Saloon Man. Kansas City, May 21.—Joseph Barone, an Italian saloon keeper, aged 31, was shot and killed in his saloon in this city by a robber with whom he had a desperate encounter early yesterday.

# PANIC IN FORT DE FRANCE.

Citizens Take Refuge on Vessels in Harbor—Stones Fall in Showers.

Fort de France, May 21.—Yesterday morning at 5:30 a thick, heavy cloud, lit up by flashes of lightning, and the rising sun, rose from Mont Pelee. The people of Fort de France at once became panic-stricken, and in scant attire rushed excitedly through the streets of the town. Stones from the volcano as big as hazelnuts fell in the streets. Many of the inhabitants hurriedly embarked in the vessels in the harbor, and it was with difficulty that they were eventually reassured. At 7 o'clock, however, the excitement was over and the people became calm. The phenomenon was like the eruption of Thursday, May 8, but not so severe.

Governor L'Huerre will leave here on the French cruiser Sachet to inform himself of the situation at St. Pierre.

Sufficient food supplies are arriving here, but linen, clothing, bedding and disinfectants are needed.

The refugees at Fort de France are without work and money is needed for their support.

A tidal wave has destroyed a portion of the village of Le Carbet. A number of inhabitants of Fort de France have embarked on the available vessels of the harbor and intend to seek refuge on the island of Guadeloupe, to the south.

The rain of stones lasted 20 minutes and was accompanied by loud detonations. As the people hurriedly embarked on the vessels in the harbor a number of canoes capsized. No one, however, was drowned.

It was learned later that a whirlwind of fire descended in the village of Le Carbet and fears are entertained for the lives of the troops who were supposed to be in that village.

### IOWA G. A. R. ENCAMPMENT.

Twenty-Eighth Annual Session Opens With Large Attendance.

Des Moines, May 21.—The 28th annual encampment, Iowa Grand Army of the Republic, opened yesterday with 1,500 veterans present. General Grenville M. Dodge of New York arrived from Council Bluffs, where he had dedicated the Kinsman monument, accompanied by John Lindt of Council Bluffs, slated for department commander.

Governor S. R. Van Sant of Minnesota and his staff, accompanied by National Department Commander Ell Torrance, arrived at noon and were welcomed by Governor Cummins and staff. Mr. Van Sant is being entertained at Cummins' home. A public reception was tendered the visitors by the governor at the state house. The first meeting of the convention was held last night, with addresses by Mayor Brenton, Commander Metzgar, General Torrance, Governor Cummins, Governor Van Sant, General Dodge, General J. A. Williamson and others.

### Editors to Visit Omaha.

Omaha, May 21.—The Knights of Ak-Sar-Ben have sent out invitations to the editors of Iowa and Nebraska to meet with them this season and assume the obligation which will make them a part and parcel of Omaha. The membership of the Knights this year will unquestionably be the largest ever known, and consequently the entertainment during the fall months will be more elaborate than of any for which this city has become famous. The Nebraska editors' night is May 26, and the Iowa editors are to come on the night of June 2. On June 9 Governor Savage and staff and the Commercial club of Lincoln will be the guests of the Knights.

### Baseball Results Yesterday.

National League—Pittsburg, 6; Philadelphia, 5. Chicago, 2; Boston, 1.

American League—Washington, 3; Baltimore, 4. Boston, 2; Philadelphia, 1.

American Association—St. Paul, 3; Toledo, 5. Minneapolis, 0; Columbus, 14. Milwaukee, 1; Indianapolis, 5. Kansas 6-8; Louisville, 8-4.

Western League—Omaha, 9; Denver, 2. Kansas City, 1; Peoria, 6. St. Joseph, 5; Milwaukee, 10.

### Eighty-Two Bodies Recovered.

Knoxville, Tenn., May 21.—Eighty-two bodies have been taken from Fraterville mine at Coal Creek, the scene of Monday's catastrophe, in which the lives of 225 miners were blotted out.

### TELEGRAMS TERSELY TOLD.

Owing to the strike in the anthracite coal mine region the price of bituminous coal has been advanced in New York from \$2.60 to \$4.50 a ton.

The cloud which issued from Mont Pelee was composed of cinders. It is estimated that 20,000 people rushed out into the streets of the town shrieking and praying.

Blind Chaplain Milburn of the senate was struck by a runaway horse at Washington Tuesday. The large toe of one foot was cut off and several of the other toes badly injured.

It is officially announced that the French premier, M. Waldeck-Rousseau, will resign before June 1, leaving President Loubet to form a new cabinet simultaneously with the meeting of the new chamber.

Secretary Moody has done Commander McCrea the unusual honor of tendering to him the formal thanks of the navy department for his excellent services in command of the Machias at the isthmus of Panama. Willard Lillibridge, under arrest at Guthrie, confessed burning the Santa Fe bridges over the Cimarron river at Perkins, O. T. In order that he might demand money from the company to ward off further damage to the road from him.

# CINCINNATI STORM-SWEPT

Terrific Wind and Rain Causes Six Deaths.

## PEOPLE DROWN IN THE STREETS

Business Section of the City Damaged to Extent of Million Dollars—Center of the Disturbance is Covington, Ky. Storm is Widespread.

Cincinnati, May 21.—Shortly after 11 o'clock yesterday this locality was stricken by a terrific wind and rain storm, causing the loss of a half dozen lives and injuring many. The fury of the storm continued only a half hour, but in that time over \$1,000,000 damage was done in the business section of Cincinnati and as much in other parts of the city and suburbs.

The dead: Willie Willes, aged 4, drowned in Covington; Mrs. Flachner, drowned in Covington; Clem Davier, teamster, drowned in Covington; George Becker, teamster, drowned in the streets of Cincinnati; Ferdinand Rapp, peddler, drowned in a cellar in Cincinnati; D. W. C. Belleville, carpenter, blown from a roof in Cincinnati.

Prior to the unprecedented falling of rain, dense clouds were seen to the south and the city became as dark as night. It was afterwards learned that there had been a terrific waterspout on the Lewisburg hills, in the southern suburbs of Covington, Ky., and it moved over the Kentucky suburbs into this city, passing up the Miami valley and causing damage as far away as Dayton, O.

While storm damages are reported throughout Kentucky, the worst point seems to have been in Covington. The water rolled down the hills in a wave 20 feet deep at places, and was about 100 yards wide. The frame house of Edward Wohrlis was carried for a distance of over four blocks and finally was dashed to pieces in the Covington ball grounds. Mrs. Flachner and Willie Willes were drowned.

All the towns opposite here suffered damage from broken windows and houses being unroofed, but the greatest damage on both sides of the river, especially to the business houses in Cincinnati, and also in Covington and Newport, came from cellars being suddenly filled with water, it being impossible for the sewers and gutters to carry the water off. For a short time the water was deep in all the streets and traffic as well as business was suspended. In the midst of darkness and unprecedented downfall of rain there was for a short time a general panic in anticipation of a tornado. Superintendent Bassler of the weather bureau reported the wind as 60 miles an hour and a rainfall in less than half an hour of 2.36 inches, the greatest on record here. At Cincinnati morgue there are bodies of three victims. There are very many reported as injured. The damage in the cellars of some of the jobbers runs as high as \$25,000 and \$30,000 each.

### TALK ON CONCENTRATION CAMPS

Senator Bacon Attacks the Policy as Similar to Weyler's.

Washington, May 21.—The subject of the concentration of the inhabitants of the Philippines into camps was a leading topic of the discussion of the Philippine bill in the senate yesterday. Bacon attacked the policy of concentration, likening it to the reconcentration camps established by General Weyler in Cuba.

Foraker defended the action of the military authorities in establishing the camps in the Philippines as wise and proper and as a means of protecting friendly Filipinos from assassination at the hands of roving bands of insurgents. He read a description of the camps to show that they really were camps of instruction and sanitation.

Hoar spoke briefly in line with Bacon, criticizing the concentration camps and pointing out the difficulty in getting army officers to testify regarding the situation.

The day's debate was closed by Clapp (Minn.) in an eloquent speech, in which he urged that the Filipinos ought to be taught to admire and respect the United States as a nation which always has stood for liberty and progress and never had broken its word to any people, great or small.



# STORK TIME

to most women is a term of anxiety, serious thought and sweet anticipation.

MOTHER'S FRIEND

does diminish the pain accompanying maternity. With its aid mothers can and do bring healthy, sweet dispositioned and ideal babies into the world.

Morning sickness, sore breasts and excruciating pains caused by the gradually expanding organs, are relieved by this penetrating and relaxing liniment.

Among the manifold aids to childbirth Mother's Friend has grown in popularity and gained a prestige among rich women as well as poor; it is found and welcomed in the mansion as well as in the cabin.

By lessening the mother's agony of mind and diminishing pain a beautiful influence is wrought upon the child, and instead of peevish, ill-tempered and sickly forms you have healthy, laughing humanity, remaining a blessing ever to you and its country.

All Druggists sell Mother's Friend at 50c. Write for our free book "Motherhood" THE BRADFIELD REGULATOR CO., Atlanta, Ga.



# THE SMITH PREMIER

WILL FULLY MEET YOUR EVERY TYPEWRITER REQUIREMENT. BUILT RIGHT—WORKS RIGHT.

USED BY THE LEADING MANUFACTURERS AND MERCHANTS EVERYWHERE,

BECAUSE THE MOST ECONOMICAL TO OWN.

PRINTED MATTER FREE.

THE SMITH PREMIER TYPEWRITER COMPANY.

Corner 17th and Farnam sts., OMAHA, NEB.



—the BEER of good cheer.

That's all you need to know about a beer—you are sure then of its purity and all around excellence. If it's Gund's it's good.

Gund's PEERLESS is sold at best places. Made only by JOHN GUND BREWING CO., La Crosse, Wis.

Send 15 cts. for pack of Fine Playing Cards.



You cannot drive purchasers to any particular store. You can win them by convincing arguments.

A convincing argument attractively displayed in the advertising columns of this paper will reach the eyes of hundreds of buyers in this community.