## THE DAILY BEE.

OMAHA OFFICE NO. 914 AND 916 FARNAM ST. NEW YORK OFFICE, ROOM 65 TRIBUNE BUILD-

Fub ished every morning, except Sunday. Thenly Monday morning daily sublished in the state. The Weekly Bee, Published every Wednesday TERMS, FORTFATE.

One Year, with premium Six Months, without premium One Month, on trial CORRESPONDENCE:

All Communications relating to Newsand Editorial matters should be addressed to the EDITOR OF THE DUBLYESS LETTERS.

All Business Letters and Remittances should be addressed to THE BRE PUBLISHING COMPANY, OMAHA. Draffis, thicks and Post office orders to be made pay-able to the order of the company. THE BEE PUBLISHING CO., Props E. ROSEWATER, EDITOR. A. H. Fitch, Manager Daily Circulation, P. O. Box, 488 Omaha, Neb.

go. His name is against him.

Mayor Boyn his gone to Washington but the government in Omaha still lives.

THE Republican has learned not to monkey around the buzz saw while It is motion.

THE next time that Vandervoort circulates that exploded slander he will be called to account for it in the courts.

ILLINOIS is threatened with an extra session of its legislature, which has already been in session for nearly six months.

! VANDERVOORT testified that he had no use for Rosewater. A man by the name of Gresham had no use for Vandervoort. Hence these tears.

Duning the trial for libel, which has just been concluded in the district court, the presence of Frank Walters was sadly missed by the proprietors of the Repub.

himself or his son-in-law.

MR, THURSTON thought it was very bounds of decency are overstapped and jury thought otherwise.

warning from this time forward.

has had in that line is with mint juleps.

THE Buckingham theatre re-opens tomation scene, under the auspices of the Women's Christian temperance union, will no doubt be a pleasing apactacle.

Among the charges filed againsts western postmaster is one to the effect that he has been an agent to procure subscribers for the New York Tribune. "Offensive partisanship" is certainly a very clastic device, and can be stretched in a wonderful manner.

Among the many candidates for the postmastership of Quincy, Illinois, is a man named Cleveland who has been advertising himself as a cousin of the president. His chances were considered good until the president declared that he was trying to obtain a postoffice by false pretenses.

in the same month for the last ten years. The increasing waste of our national wealth and resources by fire is one of the most serious problems connected with the business future of the country. It ought to be an improvement rather than The Boston Advertiser says: a change for the worse, and the conclusion is almost inevitable that to carelessness alone is due the greater part of the heavy fire losses of the United States.

So many unreconstructed and unreand rewarded by the administration, Jeff Davis naturally assumes to have some influence with the democratic bosses at the national capital. He has recent ifornia, Samuel Brooks by name, with a Consumers ought in the end, to benefit by letter recommending him as a suitable this tendency. person to be appointed assistant treasurer at San Francisco, This man Brooks was one of the seconds in the noted assayer at Helena, Montana, will read Broderick-Terry duel, and was known with pleasure the prompt denial that has all through the war as a robel sympathizer. It is this knowledge which en- using the government for money specudears him to Jeff Davis, and brings him lative purposes. The telegram making forward as an inderser of Brooks. It this serious charge, and which was sent remains to be seen, however, whether an out from Helena, is pronounced a forgery and rement from Jeff Davis carries any by the authorized agent of the associated the population of the disputed territory weight with it, and whether Mr. Cleve- pross whose name was signed to it. It

A jury of twelve men, good and true, has at last, after a full hearing of all testimony that could be gathered and a thorough discussion by able counsel, completely exploded by its verdict the libelous story that Edward Rosewater, editor of the BEE had been disloyal during the war, and was acting as a confedheadquarters at the Omaha Republican crisis. office. For years a bushwhacking war had

spy and a traitor to his country, mility of its diplomacy by Russia, and complaint was promptly entered against yet could be aroused to the overthrow of Casper E. Yost and Fred Nye in the its government by a shilling increase in In the criminal court by him, and a civil fact was that the grand jury unanimously | beer and spirits. indicted Yest and Nye, but through some held in November the real trial of eleven for Indictment and five egainst, liberals have a decided advantage in the per Nile. About Afghrulatan it is said

number necessary to indict. ACTING-MAYOR BECHEL is a very safe slanderers. Ordinarily the editor who is as Gladstone put it in the debate, man at the head of municipal affairs. competent to successfully conduct a daily whether in raising revenues, choice shall He will discharge the duties as well as newspaper, can fight his own battles be made between alcholoic liquors or the they have ever been by any of his prewithout the intervention of the courts.
The license which the press enjoys in

get out of the way and abandon the large of the courts ameer to Russia, even before see abandon the public domain.

The license which the press enjoys in go to a country and claim its confidence. THERE is no telling what a day will the attitude of editors with regard to make the most of the Soudan calamity bring forth, but it is not very likely that their respective positions is very and the government's policy in Egypt it will bring forth the resignation of broad. During heated campaigns edi- and Afghanistan, but upon these ques-Marzhal Bierbower, if Mr. Boyd knows tors may lose their temper and ple is unmistakably on the side of the call each other knaves and idlots, with- defeated ministry. out any resort to law. But when all

at the hands of a jury for a libel. The popular confidence which is the basis of stances. On the very day that the Times third, and leave Germany a little more jury thought otherwise. influence and prosperity of any newspaper, the editor has only one of two meth-THE corporation editors and hench- ods of redress left open to him. He may men who have made it their business to take the law into his own hands by shootre-echo the stale slanders emanating ing down the malicious libeller, or he

"to man restored to life after his funeral between England and Germany in case offectual obstruction to the settlement of govfrom the Republican office better take may appeal to the courts for a vindication. This was precisely the case in this instance. WILLIAM STAPLETON, editor of the proprietors of the Republican had day Peel's ministry was overthrown on urally draw the two countries closer to-Denver News, has been rewarded with fabricated infamous falsehoods and dam-O'Conuell and carried free trade, and sgalmst England and in favor of Russia naturally suppose that the land is galmst England and in favor of Russia taken by somebody else, notwiththe appointment of melter of the mint in sging libels, and in spite of denials, kept O'Connell and the protectionists had life at Berlin would be deemed by Muscovite that city. The only experience that he up this system of bushwhacking because enough yet to pull him down, statesmen worth accomplishing at any There was no political campaign pending as he passes home to enjoy his triumph. night under a new management, and in December, 1882, when they repub. In 1873 Mr. Gladstone, the first English awakened to the opportunities for agwith a moral performance. The transfor. lished the confederate spy story. They prime minister who had ever really grandizement presented by Africa. Up knew it was false, but they republished it because it served their purpose in prejudicing the old soldiers of Nebraska against us. Called into court to answer for this libel, they defiantly set up the plea that Edward Rosewater had no character in this community, and furthermore that the confederate spy story was a notorious fact. When called

able testimony of the loyalty and efficient services of the plaintiff in the union completely refuted, and the slanders forever silenced with regard to this libel.

Incidentally we may remark that no this convicts the Quincy Cleveland of lish consequential damages. Although majority of sixly-two over the conserval see, to become in time a source of quarthe suit was nominally for \$10,000, the PROPERTY to the value of \$8,750,000 conviction for libel just was destroyed by fire in this country it would have been through a verdict of during the month of May. This is about guilty in a criminal court. If it puts an ten per cent more than the average loss end to disputable journalism as carried Parnellites over the defeat of the Glad-sovereigns of this country for two on by the subsidized corporation organs in this state it will prove beneficial both to the profession and the public.

THE recent shipments of Omahadressed is a drain which is constantly growing beef to Boston has attracted a great deal more more serious and at the same time more of attention, and our city is receiving inexcusable. With improved methods considerable free advertising, of the most of preventing and putting out fires, there encouraging character, by reason of it.

Omaha is "bound to be big," is the cry of a Nebraska writer who is devoting his energies to "booming" the city named. As Duluth aims to draw wheat away from Chicago by establishing better elevators and a cheaper line of transportation eastward, so Omaha is preparing to localize the slaughter house business, pentant rebels having been recognized and send only butchered meat across the Mississippi. It costs more to transport live flesh in Omaha by the willingness of local slaught erers to pay more for live stock than the ly furnished an office-sceker from Cal- agents of Chicago firms are prepared to hope for from the accession of the teries

> THE Omaha friends of R. B. Harrison, been made to the charge that he had been

OTHER LANDS THAN OURS. of political desperadoes, having their the people than the liberals have in this pendence-loving mountaineers

Its satellites upon the editor of the BEE, coercion in Ireland, could accompand what and the only redressafforded against these has been brought about by a slight infigrant outrages were repeated denials This was a question that came home to through the columns of this paper. There the British bosoms and business. When is, however, a limit to endurance even Mr. Gladstone wrung his hands on the with the editor of a daily paper, who has announcement of the vote he was proba-DIRECTOR BURCHARD of the mint must served as a target of malice, slander and of the petty issue upon which it was vile calumny. When the Republican achieved. He may have been thinking two yours ago maliciously republished a in that moment of the scorn which the charge emanating from one of its government of Europe would excountry satellites, charging Edward template with comparative stolidity the Rosewater with being a confederate disasters around Khartoum and the huthe tax of whisky.
While the whole strength of the oppo-

damage suit was also commenced against sition was put forth in the vote of Monthe Tribune printing company, publishers day, there were many absenses on the of the Republican. The parties waived accept power now they will be likely to examination in the police court and es encounter a hostile honse on very differcaped indictment by a mere scratch. The ent questions than the increased taxes on

peculiar method best known to those strength between parties will be made, parties, the vote was reconsidered and and the result will probably determine the indictment quashed by a vote of the control of government for years. The contest in the extension of suffrage to a Even this was within one vote of the million of new voters and in a new distribution of seats. Possession of power And now after two years of delay the in most countries is regarded as advan. guaranteeing the northwestern irontier of civil court has passed upon the case in a government pressure is little felt in regular jury trial, and the verdict is not English elections. In the coming contest merely a vindication for the editor of this the narrow issue presented by the tories nach Osten' is the watchword of the paper but an emphatic rebuke to the in the vote of Monday is the small in-The license which the press enjoys in go to a country and claim its confidence. controversies over public questions and Of course the tories will endeavor to

History is perpetually repeating itself audacious for the editor of the BEE to slanders are forged for the purpose of Peel wonthe greatest of his parliamentary and North seas, of the cost of which she come into court and ask for a vindication blackening characters and destroying victories under tragically adverse circum-The of lords on June 25, and on the same canal by Russia and Germany would natthey regarded themselves as privileged to make a target of Edward Rosewater. Struck by a hestile band in some by way having coat. periled office and popularity to serve the interests of Ireland, was defeated on the bill to give Ire and a national university, through Irish votes. When he resigned Mr. Disraeli declined to form an administration with the existing house of commons, and on being urged to take office and dissolve parliament, refused declaring that the functions of an opposition were critical, and he had nothing in pardissolve. Finally Mr. Gladstone returned on for the proof they to office for a few months; then not only failed to make a showing, but dissolved the house, and went down like Town was a convenient coaling station pany, says the district attorney in his arguthey to office for a few months; then their libals were disproved by indubit- a stone in the troubled waters of the gen- and harbor for national ships going to ment, took lands within the inclosure and army. Thus their infamous charge was been known in the political history of sections of this long-neglected section of attempt was made on our part to catab. Gladstone returned to office with a clear king of Belgians; really, as any one can amount awarded us was all that could marking that during the Victorian age and the Red Sea litteral; Spain seeks be expected. It carries with it a dissolution has been singularly fatal to "territorial compensation" in Morrocco, the ministry bringing it about.

> to account for the wild enthusiasm of the the Sultanate of Zanzibar. Buckshot Forster !" Joyce !" and other hot taunts. Apparently they could not have more fiercely glad if the vote that laid low the Gladstone govthat laid low the Gladstone gov-ernment had insured Ireland its independence. In the estimation of the so-ber observer Ireland has far less to hope from the party with which the Parnellbeen his half-way measures, however nawles in placing faith in the sayings of harsh and unjustifiable may have been the British consul. the enforcement of the coercion act, no one can deny that in the five years since his last as:umption of the duties of premierable the condition of than that already packed for the market Ireland has been constantly ameliorated This point is now being forced home on sellers through his wisdom, forbearance, and great parliamentary astuteness. peasantry of Ireland have nothing to to power, whatever course the Irish par leament may pursue. The tory leaders by tradition, association, social relations and political bent are the friends of Irish landlordism.

> > Sir Peter Lumsden on his way back to England, has stopped in Constantinople to protest against the folly of basing the frontier between Afghanistan and Rus sian Turkeystan upon ethnographical considerations, and he predicts a speed renewal of the trouble between Great Britain and Russia as a result of taking into accout. Only those familiar with the

accounts have been so adjusted and in all future Afghan complications it will beessential to a clear understanding of the situation that Afghanistan be recognized as the home of many nationalities totally unlike the Afghans and secretly hostile Like a thunder clap from a clear sky to the ruling race. Therein lies Engthere comes the announcement of the land's great disadvantage as compared with Russia in all dealings with Afghandefeat of Gladstone in the house of com- letan. The Afghans proper mostly live mons on the second reading of the budget in the castern half of the country, and (appropriation bill) and the dissolution the fiercest, most intractable tribes in all erate spy. This malicious slander, like of the cabinet. On the eve of a general Afghanistan are next to the British frontscores of other baseless falsehoods con- election Gladstone and his ministry are ter Afghanistan as an enemy without at carning his character and conduct, had compelled to make way to the tories who once encountering the whole strength of been concocted and circulated by a g ang have no better hold on the commons or the most warlike, bigoted, and inde-Asla, and a British army marching toward Herat would be flanked for hundreds of Neither the calamitous campaign in the miles by a race of warriors who cannot

been kept up through that paper and Soudan, nor the Afghan affair, nor yet bear to see foreign soldiers on their territory. On the other hand, Russia faces the part of Afghanistan, which is inhabited by Turkoman tribes, Persians, and nomad races who hate the Afghans, or at best are very indifferent to them. In Herat there are few Afghans aside from the soldiers of the garrison, and the whole surrounding country is open to Russian The recent visit of the English min-

istar, Lord Rosebery, to Count Bis-

minutes, must have been somewhat un-

palatable to that diplomat. According to the Berlin correspondent of the London Times, during the forty minutes Bismarck had time to notify Lord Rosebery that England ought to quit Egypt, the Soudan, and Afghanistan. As to Egypt, he expressed himself very resplutely to the effect that, as Mr. Gladstone would not follow his first advice and Angliciza it, he must now internationslize it by putting a strong and popular khedive on the throne, then nentralize the country and leave it to take out, but that she must itstall either Italy or Turkey as her successor not only in the Soudan but at Scakim and on the upual frankness," and declared that it was foolish to dream of defending India by that inasmuch at the Brighton ranche com-Austria, is to be pushed eastward. 'Drang German both in Vienna and in St. teeth on Afghanistan rather than on Turkey, therefore England had better views of the situation must be quite interesting to the tories, who are now about

Russia's scheme for the construction of proposes to pay a little less than onerepeal of the corn laws an acute cabinet litical as well as a commercial standcrisis came on, and Peel absolutely went point. If such a canal were opened out of office, though it was to return to it would at once become an import-"a man restored to life after his funeral between England and Germany in case service had been preached." The corn of war between Great Britain and Rusbill passed its final reading in the house sla. Moreover, the joint ownership of a day Peel's ministry was overthrown on urally draw the two countries closer to— when men in search of homes come to and the Irish coercion bill. "He had crushed gether, and anything which worked travel for miles and miles along a fence they

It is curious to observe how the various European nations seem to have o half a score of years ago it seemed that they regarded the "Dark Continent" as a mysterious resting place for timidations that he used at numerous stated times, to come and conquer prople inclined to less idolatry. On the west coast the defy him a little, were set forth at length. To English, French and Portuguese have a the manuer in which Mr. Allyn and tow small trading stations harely recognise men rode rough shod, heavily armed with few small trading stations, barely recognized by the home governments, and studiously neglected in every political over the ranch, is late the primary cause of sense. Algiers was but a training ground ranch. "I do not charge," said Mr. Lambertticular to dissolve them—let the ministry for the French army, and the Cape settlements were maintained unwillingly by eral elections Late in 1878 Lord Bea- India and Australia. To-day almost Allyn built their houses for them. The name consfield returned from the congress of every E-ropean power, except Russis, is of a woman and five or six daughters, who are Berlin such a popular idel as had not contending for the mastery in various been known in the political history of sections of this long-neglected section of one have taken up lands on the ranche, some modern England. Early in 1880 he ap- the fertile world. The Congo country of them 160, others 320 and one or two as pealed to the people, and his administra- has been se'zed upon nominally tion was buried under an almost unpre- be an independent organization uncadented parliamentary majority. Mr. der the protection and patronage of the been beaten by twelve. It is worth re- many. Italy has her designs on Tunis and now comes Germany with the suddealy developed determination to It is difficult for impartial lookers on paronize, control, and finally own, The stone government. The cable tells us generations past, while maintaing that they pointed their fingers at the friendly relations with the Portuguese premier, yelling the while: "That is have had, for the principal article of the price of coercion!" "Down with their creed, belief in God and the British their creed, belief in God and the Dritter of the poor homesteader they little thought of they little thoug convert his present majesty of Zanzibar to a new faith. Anyway, a are rough and valuless for the powerful German fleet has been ordered surpose of agriculture. They said exactly the same thing about the lands in the ites voted than from a government under to the port of Belled-Zanzibar, with inthe leadership of Gladatone. However structions to bring the sultan to a realizmuch he may have falled to do for Ire- ing sense of his true position, and particland, however exasperating may have ularly to convince him that he has been

Pretty Prudish.

I am a modest little maid, Who thinks it more polite To bid a man "good evening," Than bid a man "good night. And if the human members Are introduced by him, I always call an arm an arm A leg a "lower limb."

I am a modest little maid he never goes to bed. But to my chamber I 'retire Most properly instead. And when the chaste Aurora Unseals my sleepy eyes, The act which some call getting up I designate "to rise.

I never speak of feeling sick, But say that I am "ill And being in my dressing-gown I style en dishabille in fact, I always heritate To call a spade a spade,
Because, you see, I try to be
A modest little maid.

— [Robert Grant, in Life.

THE CELEBRATED CASE.

Arguments in the Case of the United States vs. Brighton Ranch Cattle Company.

Justice Samuel F. Miller Holds Special Session of the U.S. Circuit Court-Arguments of Dist. Attorney J. H. Lambertson and Judge Wootworth.

Justice Samuel F, Miller called a special session of the U. S. circuit court for Nebraska at 10 o'clock this morning, for the purpose generally of hearing a few motions that had been set down to come before him, and especially to hear final arguments in the calebrated Brighton Ranche case. The venerable justice said that he could not spare more than two days' time here, and in view of the they have told in the case.

What we have to determine, said the sultry weather it was his desire that the attorneys be as brief as possible in the presentaprofession present were U. S. District Attorney J. H. Lambertson, E.M. Burkley, Judge marck, although it lasted but forty Woolworth, Hon. N. S. Harwood, and T.

After hearing a few preliminary motions,

presented the case, which, in substence, that on February 15th, 1884, a bill of partic ulars was filed sgainst the Brighton Ranche company and Vergil Allyn, charging that by care of itself. As to Sondan, he was of the enclosing \$2,000 acres of land with a barbed opinion not only that England must get wire fence, they had intimidated and obstructed people, who had desired to perfect their rights as homesteaders; it is also stated their rights as homesteaders; it is also stated that in the light of all allegations set forth defendants have greatly interfered with the progress of agriculture, by fencing up these public lands. In applying for an injunction, and when

Afghanistan. "This," says the Pall Mall and maintenance of blooded live stock in the Gazette. "Is the Gazman idea. Russia, like state, they could not well do so without the fence. It was shown that a large number of stock cattle and 150 head of fine blood bulls were maintained there. When the government anticipated to show Petersburg. It is more convenient for that this fence was a public nursance they set Europe that Russia should break her up the reply that the fence was necessary to teeth on Afghanistan rather than on keep this 150 head of bulls from running at large all over the country, and further that as they held a lease or deed in trust to the

hundred miles west of Omaka. The suit has been pending since the time stated above, and teresting to the tories, who are now about to come into power, especially his "frank" view of the Afghan squabble, particularly as these same tories only a also for a resurvey of the ferce line. In the few weeks ago were hewling themselves meantime the Brighton ranche company has hoarse for war. over 40,000 acres within the enclosure. The overnment claims that of this amount ther are at least 15,000 acres unset led. At the time a ship causi and connecting the Baltle this suit was brought, said Mr. Lambertson and North seas, of the cast of which she encing of the government domain. But since that time there have been enactments made and a number were read which prohibit any ecclosure of the public domain But whether in this case [the fence can be

called an enclosure, considering the fact that there are two gaps or openings, each one-quarter of a mile in length, it would seem that

effectual obstruction to the settlement of government lands on the inside. In support of this position, the district attorney quite eloquently declared that the mere existence of a tence was sufficient to keep out settlers, and standing the fact that they might see jus over said ferce many claims of desirable land The boldness, effrontery and cool audacity, continued the speaker, which these men have assumed in appropriating unto themselve property belonging to somebody else is with out precedent. The settlers who do own and live on claims within this stupendious on closure are constantly annoyed, harassed and driven almost to desperation by the company's cattle destroying their crops. The brayado conduct of Vergil Allyn, and the in revolvers, repeating rifles and loaded whips over the ranch, is laid the primary cause of amitted on the meanor brought about the sad state of affairs "a regular l'inafore family," each and every much as 480 acres, all of which is now con The fertility of the soil, beauty of the cont try, and desirability of making h Custer county, were features set forth to his honor at length, but the cream, the choicest bottom and valley lands in the county are

taken and fenced by this company, and no "Can the defendants enclose these lands with a fence, located on lands taken up by settlers, and thus maintain unsettled lands against those seeking homes?" was a question of law in this case that Mr. Lambertsen

or law in this case that Mr. Lambertson argued at length.

In closing, the speaker grew quite elequent, and his utterances were as follows:

"Well might Vergil Allyn exclaim I am monarch of all I survey. My rights, there are none to dispute. What was but a barren waste I have reclaimed and conquered for the rights of pasture and water by the Brighton rauche company. They say these lands are rough and valuless for the purpose of agriculture. They said valley. But that question is not for them to decide. Neither is it for us Americans to determine. It is not a question whether an American con conquer these rough lands and

wrest from them a precarious living. The 70,000 immigrants that in a single month land on our shores may take a different view.

What can the Swede, the Hollander, the Dane, the Russian menonite, the Irishman, the German, do with these lands. It will be left to them to solve the problem. They will come and plough and tall these hills and rough lands, and prospir, and the wid west will become the granery of the wild west will become the granery of the world. The swarms of immigration pressing towards the sunset turned back by the Rocky mountains will flood all these lands with the representatives of all the races of the earth, and the once universal belief as to the sterrility of the soil will prove an allusion as the mirsge that allured their advancing steps day by day. Nay more, this mirage so entranc-ing to their vision throwing into clear re-lief trees, houses, towns, and villages will beome accomplished fact.

Because this land is not suitable for agri-

milture is no answer to our argument. It is ufficient for the government to say this is my it is for me to decide whether it should be left free and open to them when they are ready

without any color of title recognized either in equity, justice or law, and should be ousted from the domain they have usurped. At the close of Mr. Lambertson's argument,

whih continued until after 12 o'clock, the court took a recess until 2 o'clock. AFTERNOON SESSION.

somebody say that they had rather have the ence down than there. But this witness testified that he had never experienced any twenty-five and twenty-eight mile orders, trouble. When he suffered damages from The increased business of the road show stock Mr. Allyn had paid him for his dama-The men who are antagonistic to Mr. Allyn sppreciated and proved the far-seeing

are the ones who object to this tence. In the matter of Province's murder, two men one named Long killed him, but neither of them, said Judge Woolworth, had ever been em-proyes of the Brighton Ranch company, McDermitt and half a dozen other men tole half a dozen cattle and made heef of them. In this they were detected by Allyn, and presecuted, hence the outlandish tales

speaker, is whether this fence is a subject for emplaint. He would not attempt to say that violence, or force, by Allyn, is totally denied. On the other hand Mr. Allyn's record shows the Brighton Ranche case was called. Dis. grazing purposes. "Our fence," said the judge, "runs around

trict Attorney Lambertson stated that he the deep cut rough canyons and low lands, revenue. The extension now baing built had been requested to withdraw the name of but leaves all the good table lands out, and from Holdrege to Ogalla's is intended as had been requested to withdraw the name of C. S. Webster, who has heretoire appeared as one of the attorneys for the United States, as one of the attorneys for the United States, was read showing that he had traveled day was read showing that he had traveled day the heaviest stock shipping point in Nethat were untaken, but could find none. Therefore the change that the fence per see was a preventative to settlement is perceptably negative. The matter of pasture and water for cattle only one man complained, and he had been ordered not to interfere with the watering of the company's cattle, to their detriment. Much complaint was made becouse the mail between Pium creek and Ar old was prevented from crossing these lands. The only o structions said the speaker, was a refusal of his clients to pay the mail carrier the answer was made, said answer proclaimed

S25 a year for opening and cloning a gate.
The only interference at any time was the opening of gates, of which there are twenty-five in the fence, and how much of an ob-struction are these to a use of the public lands. The record is besineared from end to end with personal controversies, which are brought into court not to show the real tion at issue, but they are brought in to assist the court in arriving at a more severe verdict than he otherwise would do. This fence was built at a time when the

country was almost unoccupied. What would have been the policy of the country whether the act of 1807, on the statute book, stood or not. The policy of the government for more than half a century has been to encourage settlers to go upon the public land and locate. The men who came across the river in a cordance with the settled policy ahead of congress, and shead of the surveyor, ot settle this very town came in defiance of law. When the cattle interests in this western country sprung up, fences were built and nobody complained. Had anybody representing the government

came to us and said that this fence was im-peding settlement and blocking immigration, and we then would have refused to remove it, then was time enough to bring us into court.

The general drift of Mr. Woolworth's argument was to the effect that this fence was no matter to be complained about in the

A large amount of the testimony, and especially that of Bishop, the county surveyor, who submitted a platt showing the line of the fence, was reviewed at length and the principal points set forth to clear understanding. The platt was shown and minutely explained to his honor.

But, declared the attorney, you can't tell with accuracy whether the tence is on govern-ment or private land. "Plaintiffs come into

this court and complain that the fence is on government land. They want to prove it and that they have not attempted to do. Altogether, where we run detatched parcels of land there is probably about four miles of the ence on government land.

This brings us to the two questions: First, whether the fence is matter for complaint by the government; and, secondly, whether this is the proper tribunal in which to try the con-

troversy.

These settlers have made claims in pur suance of the laws of the United States they have the right to go upon these lands, improve and eajoy them, they have rights against which the government can't complain. A number of established authorities were uoted from to sustain the defensive proposi-

Part of the fence is on patented land, and how much is not? From the record nobody can specify, and for that reason the speaker thought it would be a hard matter for the court to make a decree prostrating the fence. All the charges, continued Mr. Weol-worth, about entries of public lands in Custer county being made fraudulently and for the defendant, are false charges, and charges that e cared nothing about. In this court of equity, the rule provides that the bill complaining must establish that

a real injury exists. If it is true that this fence doesn't en lands that anybody wants, if it is true that it don't prevent anybody from going into the enclosure, then is the government injured? It is t ue that some years ago men went up to the fence and looked into the enclosure, then

books. If this action has any application to this case, it can't be forced in the manner." diaries. The lectures on Goethe, which have The following statutory provision, which been previously mentioned in part, will com-had been quoted by the district attorney in prise these: his argument, was read by Mr. Woolworth in reply to which he gave reasons showin

why it does not apply:

"That no person, by force, threats, intimidation, or by any fencing or inclosing, or any other unlawful means, shall prevent or obstruct, or shall combine and confederate with others to prevent any person from peaceably entering upon or establishing to settlement or residence on Indorsed by Physicians, Druggists any tract of public land and subject to settle ment or entry under the public laws of the United States, or shall prevent or obstruct free passage or transit over or throug the pub-lic lands; provided this section shall not be neld to affect the right or title of persons wh havegone upon, improved or occupied said lands under the land laws of the United of States, claiming title thereto in good faith.'
Judge Woolworth occupied about two hours in his argument. At its close District Attor ney Lambertson made a brief reply and the case was submitted to his honor for

Recent Railroad Progress.

Sharp competition and the necessity of popularizing the railroad, have forced the management of the Union Pacific to apply business principles to the conduct of all departments of the read. It is within the recollection of the youngest within the recollection of the youngest A. D. Tayon, Drugish Batavia, N. Y. patron of the road when freight for Omaha and interior points laid around the transfer at Council fileff; for days and frequently searchers were employed to hunt up the missing goods, and, if found, to plead for their transfer over the Missouri. Merchandise had been allowed to accumulate at the Omaha depot, until car-lead lots were secured for certain points, and days were consumed in I have set it apart for the settler, and reaching Nebraska points where hours now suffice. The accommodations and free and open to them when they are ready for the heritage I have given them. Again; the settler, with a small number of cattle, may want 160, 32) or 480 acres of this land for the purpose of raising cattle, and it may for that purpose be as valuable to him as land better purpose be as valuable to him as land better to 6 o'clock every day, and men are employed. land can afford to recognize him, even it he has brought other rebeis to the rent. He has brought other rebeis to the rent. We have against Mr. Harrison, and that his can appreciate the force of this point, and whether Br. Cleveland can afford to recognize him, even it sents to 6 o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes and races which adepted to agriculture. Because it is suit.

So o'clock every day, and men are emdistribution of the tribes are beid every where.

Price adepted to agriculture. Because it

leges. The United States is here demanding a single box is given greater care now its own; that it be left undisturbed for the than car loads were a few years back. at purposes it was a . apart by congress. The than car loads were a few years back. If lefendants are trespassers on those lands a single loaded car for the west is found at the transfer at night an engine is dispatched for it, and it is hurrled to its destination on the first train, These are some of the ap When Justice Miller had the court called to order at 2 o'clock, Judge J. H. Woolworth attorney for the Brighton Ranch company commenced his argument. In substance he said: One settler out of the many had heard and the substance had said and the substance had subst preciable changes wrought by the new while the regular through freights run on

wisdom of the management.

The coming fall will witness a remarkable contest for the live stock traffic of Nebraska and Wyoming between the Union Pacific and Burlington & Missouri. The spring tussle, though a lively one, was only a preliminary to what may be expected two months hence. The former empany is busily engaged overhauling all cattle cars, and putting on air brakes preparatory to running stock trains thirty tion of their matters. Members of the legal in per ree the fence might prevent settlers miles an hour. These trains will make profession present were U. S. District Attorprofession present were U. S rights and honors with passenger trains. It is quite possible that sleeping cars for M. Marquett, of Lincoln; G. S. Waldo, of Ulysses; Judge De Wight Hull, Mr. Quinn and C. E. McGould, of Lincoln.

On the other hand Mr. Allyn's record shows that he invited and solicited settles to go within the enclosure. Witness after witness have come up and testified that these lands have come up and testified that these lands closes. The B. & M. is not idle by any inside the fence are divided into two classes, inside the fence are divided into two classes. viz, lands fit for agriculture and lands fit for Union Passis at important points have knocked off a good elice of the latter's bracks. It is in the heart of the grazing district of the state, and will doubtless hold its position at the head of the list fer some years to come. The entire force of men and teams heretofore employed on the proposed Ashland "entoff" have been transferred to the Ozallala line, and every effort will be made to put the road in running order by the 15th of

It is now definitely known that the outlding of the proposed Ashland branch of the B. & M. has been abandoned for he present. The cause of this is the heavy grading necessary to make a firstclass road bed. The company calculates that it is cheaper to operate the present line to Omaha than to build the 'cutoff." The present line to Lincoln is the shortest by several miles, and until rival roads shorten the distance the "cutoff' will not be built.

The electors of Sherman county will vote, the 23 is st, on the proposition to oud the county for \$38,000 to accure a branch of the Union Pacific to Loup City. The proposed line start from or near St. The proposed line will in Howard county, running northwestward to the point named. There will be twenty-one miles of road in Sherman county. From present indications it is certain the bonds will carry by a good majority. The county is settling up rapidly and the necessity of transportation market is fels by all.

The Northwestern road has crossed the sand hills west of Valentine, and reached the fertile country around Chadron. The iron horse was expected in Chadron this week, six weeks abrad of contract time. It is now certain the road will be continued westward and will reach White river before znow flies.

NEWSPAPER OUTFITS.

TO PUBLISHERS. The Western Newspaper Union, at Omaha, in addition to furnishing all sizes and styles of the best ready printed eets in th of outfitting country publishers, both with new or second-hand material, selling at prices that cannot be discounted in any of the eastern cities. We handle about everything needed in a moderate sized printing establishment, and are sole western agents for some of the best makes of Paper Cutters, Presses, Hand and Power, before the public. Parties about to establish journals in Nebraska or elsewhere are invited to correspond with us before making final arrangements, as we generally have on hand second-hand material in the way of type, presses, rules, chases, etc., which can be secured at genuine bargains. Send for the Printer's Auxiliary, a monthly publication, issued by the Western Newspaper Union, which gives a list of prices of printer's and publisher's supplies and publicly proclaims from time to time extraordinary bar-

paper men. WESTERN NEWSPAPER UNION, Omaha, Neb.

gains in second-hand supplies for news-

went away, but they didn't think the land was worth taking, is the only reason why they went away. When you come to find that there are openings in the fence and twenty-five gatas besides, how can it be shown that the government is injured?"

The work of the Concord school of philosophy for the summer's session is substantially prepared and the first prospectus is issued. The subsicits are mainly two: Goethe; and the question, "Is Pantheism the Legitimate that the government is injured?"

Outcome of Modern Science?" although in addition there will be Mr. Blake's readings addition there will be Mr. Blake's readings The lectures on Goethe, which have

and Chemists, as nearly Infallible. I am selling more of the Cutioura Remedies for

diseases of the skin and blood than any other. The Contours Soap, as its first class quality deserves leads all of my soaps in demand, b.th as a tollet soap and ws a beautifier and protector of the skin. DR. W. H. HALL, Frankfort, Ky.

SATISFACTORY RESULTS. Your Outloars Remedies exceed both in sales and good results any skin remety we ever bandled, and it is with pleasure that we recommend them to our customers, assured that they will receive real benefit and satisfactory results.
DR. D. FOWMAN & SON, Bourbon, Ind.

NEVER FAILING.

SCROFULA CURED. I prescribed your Cutioura remedies, effecting a horrugh cure, in a chr nic case of Scrofula upon a hild of one of my patrows, after the case had baffled to skill of was eximent physicians during a period televen menths. I made a complete cure in four contra

A. C. PAPTERSON, Druggist, Brooksville, Ky.

NEVER A COMPLAINT,

Since I have been solven your Catioura Remedies I have never heard a slegic complaint; but on the contrary every one who has used them has been well pleased with them, and they outself all others. Andrews Lud. Andrews, Ind.

SCROFULOUS SORES,

I had a dozon had sores upon my many, and tried if remodies I could hear of, and at last tried your If remedies I could hear or, and second me. Sufficura Remedies and they have cured me. JNO, GASKILL. Hebron, Thayler County , Penn.