

PLUCKED THE PERMISSIMONS.

The Miller-Boyd Faction Carry the Democratic Primaries—A Hot Fight.

GOOD AND WELFARE OF THE CITY

Plans and Projects of the Board of Trade to That End—Work of the Y. M. C. A.—News About the City.

The Democratic Primaries.

The contest at the primaries yesterday afternoon was by all odds the most exciting fight that has ever taken place in the democratic ranks in this city. It reminded one of the old times when the republicans indulged in factional fights and mustered twice as many voters as there were members of the party.

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"I am doing quite well, my old Jay-bird," said Howe, in the most familiar manner as he slapped the Wall street king on the shoulder and shook hands with him.

"How are matters and things out here in Nebraska anyhow?" inquired Mr. Gould.

"I have got everything in good shape," said Mr. Howe. "Everything looks bright. I am playing it fine on the anti-monopolist side."

"By the way, how is this railroad commission working?"

"Like a charm. Just elegant. Just as it was made to order. It was a neatly put up job. I had my eye on it from the start. You can depend on me as long as the Missouri Pacific will stand by me."

"But see to that."

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The New Law.

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"How will the law abolishing the grand jury work, think you?" was asked of Mr. Estelle.

"I can hardly tell yet, but I believe it will operate satisfactorily. Yes, I already have two or three men in the penitentiary whose cases have been brought into the district court on criminal informations filed by me. There is one thing to be said in favor of the old grand jury system, and that is that one lawbreaker who is arrested has to rest his prosecution upon the evidence is brought before the grand jury before the indictment is filed. On the other hand, the present system I have some trouble in knowing what to do with what evidence to rely upon. About the only way in which I can post myself thoroughly is to attend the preliminary hearing. But, on the whole, the new plan is much preferable to the old. It is more expeditious, less cumbersome, less expensive."

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Mr. Boyd was represented by his attorneys, Judge Savage, J. M. Thurston, Esq., and J. J. Connel, Esq. Mr. Murphy was represented by Mr. Simeral alone.

The latter gentleman's opening argument was brief and to the point. He argued in the first place that section 25, chapter 26, authorizing the using of affidavits was null and void—thoroughly unconstitutional—on the ground that the constitution provides that a bill (or act) shall be passed by a majority of the members of each house, and that subject shall be embodied in the title of the act. This, he argued, was plainly not the case in the matter of the section relative to affidavits of all. Another general point was that a certain portion of the votes, at least, were null and void, per se, for reasons plainly to be seen upon their face.

Mr. Simeral, on the other hand, did not give a sufficient reason, and the responding votes should be thrown out. Judge Savage made the answering argument that, while the section authorizing the use of affidavits was not directly

The boarding house committee reported eight good places on their list, which was consulted by an average of twenty-three persons a week. The report of the employment committee was received, showing that during the year nineteen employment opportunities were found for ten applicants and temporary employment for twenty-five. The devotional committee made a long and interesting report of what had been accomplished by the association during the past year. The meetings have been more largely attended than during any previous year, and have proved a source of much good. The work at the jail had been especially fruitful, and great interest had been manifested by the prisoners, and in many cases permanent good accomplished.

The association then proceeded to the election of officers for the ensuing year, which resulted as follows: President—Warren Switzer. Vice-president—P. C. Himebaugh. Recording secretary—C. E. Reynolds. Corresponding secretary—G. A. Joplin. Treasurer—F. Harrison. Directors—J. L. Kennedy, Second Presbyterian church; Lou Anderson, North Presbyterian; W. B. Drummond, South Presbyterian; Everett Gillis, United Presbyterian; William Morrison, First Congregational; Frank Fosbender, St. Mary's avenue Congregational; P. T. Benbow, First M. E.; J. J. Toms, Seventh street M. E.; N. W. Merrill, Tenth street M. E.; G. A. Kinkel, Komite Memorial; O. P. Seward, Baptist; G. E. Ferry, Christian.

The treasurer read a statement of the finances for the year. Resolutions were then adopted and adopted, testifying to the esteem in which the members held the retiring president, P. C. Himebaugh, after which the meeting closed with prayer.

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inasmuch as that title was "An act to provide a general election." He cited the case of Herford vs. Miller, decided by the supreme court, in which it was held that the caption might include a subject in general terms. Judge Savage further argued that the court had no power to pass upon the sufficiency of reason given in the affidavits; that they were only for the guidance of the judges in deciding whether or not to allow the persons presenting such affidavits to vote. Further, more, he said, this motion to throw out the affidavits was not according to law, because if granted, it would operate to throw out the evidence in the case before that case was reached for trial.

Judge McCallough has reserved his decision, which will be rendered in a day or two.

THE AFFIDAVITS.

There were eighty-three different excuses for not registering recorded in the affidavits. Some of them are extremely ridiculous. For instance, 201 persons failed for clerical error in deciding that they did not register because they thought they were always registered. Some other not-worthy excuses are, "Neglect" 131, "Supposed he was registered" 89, "Forgot" 30. He told a fellow to register for him. "Did not think he would vote until election day" 1. "Did not know the time of registration" 133—and so on ad nauseum. These excuses and many others, are inaimed, are illegal and the persons making them should have been barred from voting.

The following is the list of affidavits filed, tabulated according to wards:

Table with 2 columns: Ward, Total. Row 1: First ward, 134. Row 2: Second district, Second ward, 40. Row 3: Third ward, 282. Row 4: First district, Fourth ward, 137. Row 5: Second district, Fourth ward, 137. Row 6: First district, Fifth ward, 70. Row 7: Second district, Fifth ward, 89. Row 8: Sixth ward, 142. Row 9: Total, 1,117.

Of these 1,117 affidavits, 177 were for Mr. Murphy, E. W. Simeral, Esq., will claim that but 177 were issued for valid reasons. The other 940 affidavits, he thinks, were illegally issued, and the corresponding votes should be thrown out.

A Curious Complication.

Hon. William Pitt Kellogg, of Louisiana, has been in the city for the past few days, negotiating with Mr. J. H. Millard, and Mr. Guy C. Barton, for a transfer to them of a portion of his property on Farnam street. This land, as is pretty well known, extends from Farnam to Harney, (including a small strip south of Harney) and from Twenty-third street to a point about 130 feet east of Samuel Brown's residence.

Some months ago Messrs. Millard and Barton made up their minds that they wanted a section of land, paying for negotiations were entered into to purchase about one-third of it, the strip fronting 118 feet wide on Farnam and Twenty-third streets and running back to the west side of the street within limits. The price agreed upon between Mr. Kellogg and the gentleman desirous of purchasing the property, was \$31,000.

Arrangements had been nearly completed for the transfer, when it was discovered by chance that there was a "fly on the soup"—a law in the title. Mr. James G. Chapman bobbed up serenely as the claimant of a strip of the property eight feet wide, and extending the entire length, east and west, lying between Farnam street and the bulk of the land. A reporter talking yesterday with Mr. O. F. Davis, agent of Mr. Kellogg, learned that the strip was owned by him. Nearly twenty-two years ago, James G. Chapman transferred to Mr. Kellogg the property under consideration, conveying and intending to convey, as is alleged, the entire section of land. The limits of the property were plainly defined and understood, it is claimed, and are still to be seen in the old platted record. This was before Farnam street was opened to the present limits. When the strip was opened, there occurred a slight discrepancy of 8 feet between the original recorded survey and the new survey. The difference, which technically made Mr. Chapman the owner of the strip, was not discovered until just the other day. Of course as the matter stands at present this will prevent Mr. Kellogg from giving a clear title to the property.

As to the property, Mr. Davis said that negotiations were on foot looking toward an amicable settlement of the affair. "The fact of the matter is," he said, "that Mr. Chapman intended to convey to Mr. Kellogg the entire property, and Mr. K. has been very kind upon the land for the past twenty-one years. Mr. Chapman will, I think, be induced to give a quit-claim deed to the property, in order to make the title perfectly clear. However, he is inclined to fight the matter. Mr. Kellogg is determined to make it warm for him."

Restless Red-tails.

Yesterday Gen. Howard received a letter from Division Commander General Schofield, of Chicago, which may develop an interesting state of affairs relative to the Sioux Indians in this department.

For some time past there have been complaints that the Sioux Indians of the Pine Ridge and Rosebud agencies have been in the habit of leaving their reservations and committing extensive depredations in the territory surrounding those points. These alleged depredations have been committed in the newly-opened up country of Dakota and the territory of the settlers have been in the country but a short time, and are just getting a start in life. These depredations, such as cattle-killing, horse-stealing, hay-burning, etc., are being committed, it is alleged, and to such an extent that they desire the protection of the government from the foragers. Just how many Indians there are on the expedition is exactly what the government does not state. It is understood that these complaints have been coming in for some time, from a variety of sources, and that the government is determined to sift the matter to the bottom.

Gen. Howard has telegraphed to Maj. Duves, of Fort Robinson, to thoroughly investigate the complaints, and make a report thereon as soon as possible.

"Of course, we can't tell just what truth there is in these complaints," said Asst. Adj. Gen. Hall to a BEE reporter yesterday. "I am inclined to think that some of these white settlers are simply excited. I do not anticipate any serious trouble with the Sioux. If there should be any difficulty, however, I think our Fort Robinson troops will have no trouble in handling the Indians."

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BIG ROOM ON A BROAD BASIS.

The Missouri Pacific's Plans for a Road to the Northwest.

AN INTERVIEW WITH JAY GOULD.

The Railroad Magnate Both Loquacious and Reticent—The Probable Course—Conjectures.

Yesterday afternoon Jay Gould and his party arrived in Omaha, in a special car over the Missouri Pacific railway. The party consisted of the railroad magnate, his son George, Russell Sage, Capt. J. W. Shookfield, Mr. A. L. Hopkins, Dr. Munn, H. M. Hoxie, first vice-president of the Missouri Pacific railway, William Kerrigan, general superintendent, E. K. Sibley, superintendent, C. D. Warner, W. W. Fagan, division superintendent, A. S. Everest, attorney, and W. B. Outen, treasurer.

Mr. Gould was met by S. H. H. Clark at the depot, and for about half an hour the party was driven about the city in carriages, after which they returned to the special train. In the evening, Mr. Gould and some of the members of his party went to the residence of Mr. S. R. Callaway, where they spent several hours in a very pleasant way. This morning, at 6 o'clock, the special train will pull out for Kansas City.

MR. GOULD AND WHAT HE SAYS.

Mr. Gould's visit to this city means nothing more nor less than a new road or extension of the Missouri Pacific from this city into northwestern Nebraska, something that has been needed for years past.

Last night the fact was first exclusively announced in the BEE that Mr. S. H. H. Clark had purchased—either for the Belt Line or the Missouri Pacific railway—the old Taylor farm, two miles out on the line of Leavenworth street, paying for the twenty acres thereof the sum of \$18,000.

It was also announced, as a surmise, that this meant the projection by the Missouri Pacific of a line into the northwest, and that the Missouri Pacific probably intended to build a round-house, depot, etc., on the plot. A reporter questioned Mr. Clark about this in the afternoon. "I can't tell you anything about the matter," he replied. "I can neither affirm nor deny the report. You had better see Mr. Gould himself about the matter."

The reporter took Mr. Clark's advice, went down to Mr. Gould's private car, and was recorded an interview with the railroad king.

"What is the object of your visit to Omaha?"

"I am here," he replied, "on my regular tour of inspection of the Missouri Pacific system. Mr. Sage and the officials of the road came with me simply as a matter of pleasure, now and then."

"It is rumored that your road intends to build a line into northwestern Nebraska, and that the purchase of the Taylor farm was made by Mr. Clark for the purpose of building a depot, round-house, shops, etc."

"Well, I don't care to open my mouth on that subject. The officers of the road have not fully made up their minds what is the best thing to do with any spare money that they may have on hand. We shall undoubtedly build some branch lines, but just where I can't now say."

"Do you intend to improve the present lines of the Missouri Pacific road?"

"Yes, I shall spend a great deal of money on the line of the road from here to Kansas City, and I shall make it in point of general equipment one of the best roads in the country. Yes, from Omaha we go direct to Kansas City and then southward over the line of the Missouri, Kansas & Texas."

"Am I surprised to see the general prosperity of this state and this section of the west?" continued Mr. Gould. "I can say that I was astounded to note the growth of your city since I was here last year. I believe that Omaha has a great future before it, and that it is bound to become one of the liveliest and most thriving cities in the west."

"In what condition do you regard the railroad affairs of this country as being?"

"Well, affairs have been in a pretty bad shape during the past year or so, but so far as I can read the signs of the times with reference to the great railway of the country there is a good thing coming. Rates are gradually being established in the east, business is swinging around to a good basis, and I don't anticipate any more railroad wars for a long time to come. To my mind, I have looked all over the country, and I am encouraged. I am inclined to feel that the railway business as well as the commercial interests of this land are about to witness an era of rapid growth, and that the railroads are concerned, I feel a great deal of confidence in the ability of the trunk line presidents to keep rates to the paying point, now that they have become aware of the exigencies of the situation."

"What do you think of the recent labor strikes, Mr. Gould?"

"I don't think, as I have repeatedly said before, that there should be any strikes on a railway, and I don't know why; railway employes cannot prosper unless the railway is prosperous; so, on the other hand, a railway cannot prosper unless its employes are prosperous. The two are bound up together, and the employes are mutual. I think the employes should have the largest possible wages consistent with the ability of the road to make expenditures. I don't think that the employes of the road should demand larger wages than the road can pay, and on the other hand I don't believe that a road should seek to make money at the expense of the interests of the employes. Here is the whole solution of the question. If its principles were only remembered and protected there would be no labor troubles."

Mr. Gould continued the conversation some time, touching upon a variety of topics of general interest. He refused to answer the reporter's inquiry, "Did you lose, or not, the \$200,000 in the Omaha lottery on Wall street last week?" declining to give away his private business. His son George, however, laughingly said that the report was pretty nearly true, but he would not tell why. He had, he said, had been purchased by Mr. Clark for the Missouri Pacific, and would be used for the erection of a depot and round house. No shops would be built there, because for the present all rolling stock for the Nebraska line could be easily supplied from the company's shops at Sedalia, Mo. Mr. Gould refused to enter into any particulars as to when or

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