### DROPPED FROM THE LIST.

Messrs. Hamilton, Swobe, and Murphy are No Longer Syndicate Directors.

THE SALE TO JOHN BOSLER.

Efforts Made to Have it Speedily Consummated-Full Details of an Interesting Legal Sensation-Other Local.

#### The South Omaha Syndicate.

Yesterday a most important and rather sensational development in the South Omaha syndicate squabble transpired in the United States court. It was nothing less than the forcing out of the three recalcitrant directors of the syndicate, Messrs. Thomas Swobe, C. W. Hamilton, and Frank Murphy, who have all along objected to the sale of the land to John H. Bosler, of Pennsylvania, for \$750,000. These gentlemen, from present appearances, are left high and dry, and unless unforseen intervention occurs, the sale of the land to Bosler will soon be perfected.

The BEF has from time to time noticed the progress of this trouble. It may be remembered that some time ago the troubles of the syndicate were thoroughly aired in a paper or petition filed in the United States court by Messrs. Hamilton, Swobe and Murphy for an injunction to prevent the other stockholders from disposing of the property to Bosler, on the ground that the contract price was too low. This ininnetion was granted and later on Herman Kountze was appointed receiver of the syndicate, to take charge of the affairs of the concern, until its troubles could be settled. The petition of the plaintiffs was met by an answer from the defendants, which, with several other bills and cross-bills, formed a tangled and complicated mass of litigation. The plaintiffs, Messrs. Hamilton, Murphy and Swobe, charged directly that the other stockholders were the other stockholders were in a conspiracy to defraud them by disposing of the property, nominally to J. H. Bosler, but really to themselves, so as to force the plaintids (Messrs. H., M. and S.) out of the syndicate. These charges were backed up by a lot of details which it is not necessary to reproduce here. SOLVING THE DIFFICULTY.

Affairs were in this shape when the others directors of the concern, Messrs. Paxton, Iler, Woolworth and Swan, put their heads together and prepared for a grand coup d'etat. Bosler, they claimed, had his \$750,000 ready, and was willing, nay anxious, to buy the land. The contract was ready to be signed, and all that was required was the consent of the three stockholders.

A few evenings ago, accordingly, a a meeting of the four directors was held and a paper which was drafted roughly as early as July 31, was presented, pol-ished off, signed and given into the hands of Mr Woolworth to be filed in the United States court.

NEITHER DEFENDANTS NOR DIRECTORS, This paper is a supplementary petition to one already filed praying that Messrs. Hamilton, Murphy and Swobe be stricken off the list of defendants in the case of John H Bosler vs. Swan, Paxton and the other defendants. This, it will be re-membered was a suit brought by Bosler against the directors of the syndicate to compel them to make the transfer of the land in question. In support of their de-mand that Murphy, Hamilton and Swobe be stricken off the list of the defendants, the petitioners go on to recite the difficulties which have already been outlined. They conclude by stating that at a meeting of the stockholders held a few days ago, Messrs. Murphy, Swobe and Hamilton, were, by a vote of the holders, of two-thirds of the bonds of the syndicate dropped off the list of directors. Consequently, as they had no interest in the affairs of the syndicate, they could no longer be considered defendants in the suit. Judge Dundy at once issued an order granting their request, and Messrs, Hamilton, Swobe and Murphy are no longer either directors or defendants. They have, however, motioned to be reinstated as defendants, on the ground that the other directors had no right to eject them from the board Judge Dundy will hear this motion later

It should be stated here that the petition of the plaintiffs relates that in the place of Messrs. Hamilton, Murphy and Swobe, there elected as directors, Milo W. Keith, of North Platte, Robert D. Fowler, the wellknown packer of Chicago, and S. Wollerton, a gentleman of the same city.

WHAT JUDGE WOOLWORTH SAYS. "This action," said Judge Woolworth toa reporter vesterday was taken in perfeet accordance with the provisions of the original deed of trust of the land. This says that any director or directors may be dropped from the board by a vote of the holders of two-thirds of the bonds of the syndicate. There are \$1,400,000 worth of bonds. At our meeting the holders of \$1,100,000 of the bonds decided to let these three gentlemen out. So that our action was taken in a perfectly legal way. This instru-ment which was filed in the United States court was drawn up bout July 31, but was not perfected until a month later."
"This ought to leave the way clear for

the sale of the property?"
"I see no reason why it shouldn't," returned Judge Woolworth, "That is, so soon as some little other matters can be disposed of."

MR. SWOBE TALKS. Mr. Swobe, one of the ejected director was seen yesterday by a reporter in the United States court room. He had just returned from a western trip and knew almost nothing of the trouble which had

fust developed.

"What do I think about it?" he said, repeating the question put to him. "Why it's a big conspiracy, that's all. These fellows are trying to swindle us out of our money by forcing us out of the concern. They can't do it. Why, their plan is to seil the land for half what it is worth. We promose to bead them off." orth. We propose to bead them off."
"You have petitioned to be taken back

"You have petitioned to be taken back as defendants in this suit?"

"Yes, and even if our motion is not granted we propose to make a fight on the injunction suit commenced by Mitton Rogers in the district court. That injunction still holds."

"Have you any other plans about the policy you will pursue?"

"No, but you can say that if necessary we will take the case to the supreme court at Washington, in the event that we are beaten in the lower courts."

"What do you think about the action of

"What do you think about the action of the other four directors?" There is only one thing to say-it was

"There is only one thing to say—it was fimply outrageous and illegal. They had no right to do it. Their meeting was held in secret and without giving us any notice thereof."

Mr. Hamilton also expressed himself as greatly surprised that the other directors should have taken the step that they did. He said that the matter would be contested to the last extremity.

DISSOLVING THE INJUNCTION.

In addition, the directors of the syndi-

straining them from selling the land dis-solved. Judge Dundy has as yet taken no action in this matter.

Yesterday afternoon, General Webster, who had heard of the attempt to remove the trustees of the syndicate, went into Judge McCulloch's court, in the absence of Judges Neville and Wakely, and secured an injunction restraining Messrs. Bosler, Swan, Paxton, Her, Woolworth and Keith and all other parties owning and of the syndicate bonds from ousting Messrs. Murphy, Swebe and Hamilton and taking steps to convey the property of the syndicate to Bosler or any of his associates, Mossrs, Paxton, Woolworth and Her. This injunction has been granted at the instance of Messrs, S. E. Rogers, Hamilton, Murphy, Wood, Geo. Barker, B. F. Smith and Milton Rogers, each of whom owns \$50,000 in synshicate bonds. whom owns \$50,000 in syndicate bonds. This was done to prevent the removal of the trustees, Messrs, Hamilton, Swobe and Murphy, and the appointment of Keith of North Platte and Allerton and Fowler of Chicago.

### WHOLESALE CONSPIRACY

Charged Against the Nebraska Land and Cattle Company. In the United States court yesterday an interesting answer was filed in the case of Henry G. Wiley, Achser H. Poole, Walter Z. Tillson, Frank C. Grable, Wallace H. Downing and Rollin A. Downing against the Nebraska Land and Cattle company, Samuel Bowman and Dwight Mc-

A few days ago the plaintiffs filed their petition in this court, alleging that they held mortgages against the Nebraska Land and Cattle company, in satisfac-tion of which they desired to seize a large herd of eartle owned by the company, near Kearney, Neb., but held by Bowman & McLain, who had also seized them on a mortgage. The attachment was issued and the cattle were seized for the plain-

Now, Messrs. Bowman and McLain in their answer set up in defense that the Nebraska Land and Cattle company was organized in New York, for the express purpose, not of conducting a legitimate business, but of defrauding their credit-ors and cheating the public generally. A nominal issue of \$500,000 worth of bonds was made, it is alleged, and distributed among the stockholders of the concern. None of these bonds were ever paid for, it is claimed, and beyond their value as waste paper were worth nothing. Still mortgages against the company were given to the different stockholders to secure them. These mortgages, it is alleged, though fraudulently executed and

legally worthless, were satisfied by the seizure of whatever property might fall into the hands of the company. Messrs. Bowman and Mc-Lain allege that they were among the first to fall into the trap, for in 1883 they sold to the company the herd of be signed, and all that was required was the consent of the three stockholders, Messrs. Hamilton, Murphy and Swobe. But they refused to consent. Very clearly there was but one thing to do. The Gordian knot must be ent in twain—the bucking trio must be eigeted without further ceremony from the board of dimeritary distributions. The consent of the consent of the stockholders of this fraudulent concern are trying to enchre them out of this security by seizing the entile by way of satisfying worthless mortgages given to secure worthless bonds. cattle over which the litigation arises.

#### THE PUBLIC BOARD.

It Transacts a Great Deal of Important Public Business.

A meeting of the board of public works was held yesterday morning. Mr. Shill was not in attendance @because of his sprained wrist. Chairman House and Secretary Bruner were present.

The contract for grading Harney between Fifteenth street and a point 500 feet west of Twentieth, comprising 12,000 yards, was awarded to Stuht & Hamel at 19½ cents per yard.

The grading of Twenty-second street from Davenport to Cass, 2,500 yards, was

awarded to Katz & Callahan, 20 cents per yard.
The contract for building the south and

west branches of the North Omaha sewer was awarded to Patrick Fox. These comprise 4,500 feet of from 3½ to 5 foot sewer. The cost was \$6.40 per foot for 5-foot sewer; \$5.35 for 4-foot sewer; \$4.40 for 34-foot sewer, and 73 cents for the 12-

inch sanitary sewer pipe.

The contract for eight inch sanitary sewer pipe in district thirty-three was let to John F. Dailey, at sixty-one cents per

The contract for the building of the basement and sub-basement of the city hall, was let to Reagan Bros., for \$46,640. This contract was ordered by the council. The contract, however, has not yet been drawn up by the city attorney. When it is done, it will have to be presented to the council. If it should be drawn this afternoon, it could be brought before the council at their special meeting to night, and also signed by the chairman of the board of public works, who leaves for the east to-morrow. If work upon the building is delayed until Mr. House's return, a week hence, so much time will be

### POLICE POINTS.

The Grist Ground Out in Judge Stenberg's Mill.

Michael Troy, the man who assaulted M. Hartigan, was arraigned in police court yesterday morning. He plead not guilty cand was held for trial next Tuesday in bonds of \$300. Hartigan wanted to file against him a charge of assault with intent to kill, but upon advice of his attorneys, filed a com-plaint of assault and battery. Mary Morrison and a young colored

girl had been arrested with a fellow named Ed Daniels for disturbing the peace by fighting. Both were fined \$10 and costs apiece. Daniels was sent up

in default.
"Judge," said the girl, "you'se got no right to punish me, but I'se gwine to pay

"I guess you haven't the money, have you?" suggested the judge mildly. "You'd better go to your seat. You can't

pay it."

"Shoh!" howled Mary in tones of anguish. "I ain't gwine to go to dat ol' jail. Uv co'se I got de money. You sen' an officer right along w: me to my house and I'll get it." And she dragged Officer Mike Whalen out by the hand and started for her house. She succeeded in raising the money and sent it up by Officer Whaten.

Larry Casey, a young Irish boy who has figured frequently and prominently in police circles, had been arrested for raisg a row at home. By request of his old father, who appeared as complaining witness against him, he was sent to jail

for lifteen days. Several unimportant cases of drunkenness and fighting were disposed of and the court was adjourned for the morning.

#### NEW OUTFITS FOR NEWSPAPERS. The Omaha Type Foundry and Supply House for Printers and

Publishers. The Western Newspaper Union at Omaha is prepared at all times to outfit publishers on short notice with presses, type, rules, borders, inks, composition, sticks and rules, and in fact everything on the line of printers' and publishers' supplies. Better terms and more liberal prices can be secured than by sending to Chicago or elsewhere. Save money by buying near home. Second hand goods in the printing line bought and sold. We In addition, the directors of the syndicate have filed a motion in the United lar. Send for THE PRINTERS AUXILIARY, our monthly trade journal, that gives

# **Exposure and Conviction.**

The information contained in the report made by the hygienic authorities of the Nation on food adulteration is not only valuable, but suggestive. The people of this country are getting to a point where they will not much longer brook the triffing with adulterators. In this connection we wish to say that we believe that the public will not forget the Price Baking Fowder Company, for their effort, heroic and single-handed as it was, to bring the bread-tainters of the world to exposure and conviction. The issue of their was purity in human diet, and the decision of the National Food Analysts was that DR. PRICE'S CREAM BAKING POWDER was the only one they could recommend to general family use, being free from ammonia, lime, and all

Persons doubting the truthfulness of this can write to any of the chemists named:

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### MICHAEL DAVITT.

The Land League Leaguer on a Short Visit to Omaha.

Yesteeday morning, the renowned Michael Davitt, the great Irish leader, came quietly into town. He was met at the depot by Thomas Brennan, formerly secretary of the Irish Land league, and escorted to the Millard hotel, where both gentlemen breakfasted. They then took a walk and drive around the city, and Mr. Davitt was met by a few of the more prominent Irishmen of the city. During his stay, which will be only of short duration, he will be a guest of Mr. Brennan, whom he will also accompany to Spirit Lake for several days rest and recrea-

Mi. Davitt is disposed to be as little as possible in public while he remains in town. For this earnest. The problem with the pareason his coming was unknown save to a few. He is not disposed to trespass upon his friends who, he knows, have de-sired to do him the honor of a public re-oeption. He is on his way to the Pacific coast where he will rest preparatory to opening his lecture tour which he will continue, passing here in the fall and reaching the east later. On that occasion he will also speak in this city.

Mr. Davitt, as he walks along in his unobtrusive manner, with his mild and intelligent features, brilliant eye, and empty sleeve, is yet a character to attract attention. It is nearly six years since he was in Omaha before. At that time, his name, too, was world wide, but, if possible, it is now, or rather his ideas now are more universally popular. At that time he was confined to his room in the Creighton house here by sickness from which ton house here, by sickness, from which, however, he afterwards recovered, to return to his native land, subsequently to suffer imprisonment and later to still more thoroughly educate his people in the objects of the league. Mr. Davitt is looking quite well, and though feeling a little fatigued yet, is in

excellent spirits. The Chairman's Absence. J. E. House, chairman of the board of public works, leaves this evening for the east with his daughters, Millie and Jennie. The former he will leave to rest at Chicago with friends, the latter he will accompany to Boston and leave in the conservatory of music at that place. He will be absent about ten days.



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