THE WAR FOR LOWER RATES.

Representatives of the People Make a Gallant Fight

BUT THEY ARE IN THE MINORITY

And Secretary Laws Succeeds in Having a Resolution Passed Intended to Indefinitely Postpone Action.

Lincoln Bureau of the Omaha Bee, 1029 P Street, Lincoln, Sept. 7.

As soon as all preliminary questions were settled yesterday afternoon Judge Thurston took the floor and defined the position of the Union Pacific. This properly commenced the battle on the freight reduction question. He said that it was a clear proposition of law that no board could make an order reducing freight rates unless a complaint had first been filed as prescribed by law. To do this a finding of facts becomes necessary, necessitating investigation and the taking of testimony, "When this," said the judge, "is done in a proper manner, and if the conditions warrant it, an order may be made, but not without." Continuing, he said: "The notice of the order shall be served on the roads by a sheriff or constable, after which ten days is given them by the statutes of the state to show cause why the order ought not to be enforced. The code of the state furnishes complete instructions as to the duties of the board and roads." He said that the service was imperfect and not according to law, and that the jurisdiction of the board in the premises was very questionable. In connection with the point raised on the imperfect service the judge said that the present order could not be enforced, and that one of the great reasons for his attendance at the warrant it, an order may be made, but not order could not be enforced, and that one of the great reasons for his attendance at the hearing was to prevent a new order upon a perfect service. He insisted upon the ab-surdity of the move because the state was not ready for it. But he urged the point that no "finding" had been made. "The records," said he, "kept for that purpose as required by law, do not show that the railroads have been unjust unreasonable or discriminative by law, do not show that the railroads have been unjust, unreasonable, or discriminative. No complaints are filed of which legal notice has been served. The order in question was not served upon the Union Pacific until the 11th of July, the return of which was ordered for the 20th. To comply with such an order would be to disregard the law creating the board. The roads have always been willing to meet the people half way, and the history of the board will show this to be a fact. In almost every instance where complaints have been made the roads have promptly rectified mistakes and adjusted matters to the satisfaction of the people. To enforce the present order will be to postspone the settlement of the rate problem fully five years. It will raise rates problem fully five years. It will raise rates on some classes of goods, while it lowers on

At the close of Thurston's speech Burrows of Gage, representing the farmers' alliance, was heard. His speech was to the point and clear of varnish. He represented a class that the railroads of Nebraska are bound to respect, and he handled cold facts in a manner that greatly annoyed Mr. Ragan of Hastings, who constantly interrupted him. The speaker believed that the state would be benefited by the establishment of rates that would build up manufacturing and jobbing centers. Discriminating charges in the shipment of buggies from Columbus, O., to Beatrice and from Omaha to Beatrice are cited as an inbuggies from Columbus, O., to Beatrice and from Omaha to Beatrice are cited as an injustice, and as a trite illustration of the fact that local tariff rates are needed and demanded in Nebraska. By the long distance tariffs he showed conclusively that in a sense, conditions and circumstances considered, buggy making in Columbus was encouraged, while at home the opposite is the case. He contended for equal advantages for home industries. He handled figures and facts connected with railroad work that showed that he had mastered the situation, and his ready answers to the questions of the and his ready answers to the questions of th and his ready answers to the questions of the attorneys was conclusive that they could not parry his truths. The speaker frankly admitted that the railroads might not be making any money at present, but he was equally sure that the farmers of the state had the roads at no disadvantage in this respect. Aside from the advancing values of the farms of Nebraska the farmers were not making 1 per cent on their invest. were not making 1 per cent on their investments. He was quite sure the railroad con enies doing business in the state could no truthfully show the same unfortunate conditions. But exceptions might be pointed

row's speech from time to time. But he held s own, and spectators not warped by prejuces must acknowledge the supremacy of

his propositions.

At the conclusion of his remarks the boar adjourned until 9 o'clock this morning, when Fred Hedde, of the Grand Island Independ ent, took occasion to push the wadding out o the remonstrance filed with the board from the remonstrance filed with the board from the board of trades of the city he represented. Mr. Hedde proved no novice in presenting the claims of the people of the state. He, too, had looked into the situation. He could see no earthly reason why Towa, Mmnesota, Wisconsin or Illinois should be built up at the expense of Nebraska. He hurled the fact at the attorneys that discrimination had been made in and out of the state, and that complaints had been made to the board, and that the responsible for the board or the people, were responsible for the war being waged against oppression. "It is time," said the speaker, "for buildozing and bluffing to stop. If the railroads can not make a living in Nebraska at rates more than better go into bankruptcy and let the state lift them up and operate it." The speaker illustrated his points by facts and figures and was frequently interrupted.

Ragan here got the floor and stated that the reduction order was not understood. It is simple a schedule formula and does not uniformly reduce rates, or necessarily mean reduction. But the absurdity of the position was shown by Secretary Ager, who stated that while freight classes D and E were each raised a small per cent, otherwise uniformly, a reduction of nearly or quite 15 per cent would follow the enforcement of the order.

But Ragan declined to down the ghost and

insisted on his point, and was helped out by a suggestion from "Union Pacific John" that reduction would still remain wholly in the hands of the magnanimity or discretion of the railroads. "Long distance tariffs can be to raised as to destroy a reduction of local tariffs." It was a wenderful piece of inge-nuity to suggest that the railroads would "cut off their own noses" to spite themselves. Ragan continued and said that lowa had acted wisely. She got all the roads she wanted and then proceeded to regulate. Ac-tion of the kind in Nebraska would keep out tion of the kind in Nebraska would keep out capital, stop railroad building and retard the development of the state fifteen years. He produced statistics showing the number of miles of railroad lowa, Minnesota, Wiscon-sin and Illimois had in 1885 and the popula-tion of each state as well. But he got be-hind the present three years, when the conditions were so vastly different, that his points jost their force.

points lost their force.

Rurrows warmed him up occasionally by injecting pertinent questions. He did not like Ragan's implication that the farmers of

like Ragan's implication that the farmers of the state were acting upon theories built by demagogues and agitators. He gave him to understand that the farmers thought for themselves. The records furnished the knowledge upon which the class he represented were acting. Demagogues might be found in the railroad camp.

C. S. Hall, candidate for the house from this county, suggested that the atterneys for the roads had repeatedly stated that their remedy would lie in the courts if the board sustained the order; that if the board were reasonably satisfied with its legality they could do nothing else than stay by it. He insisted that the board could not go backward. "If the railroads have a remedy in the courts that is the place to settle this controversy. It cannot help but land there. The dignity of the board demanded a firm stand for the people under the circumstances. The railroads cannot be hurt if they are right and the courts furnish them a remedy."

I. H. Lawton and S. M. Frink two intelliging the state of the state of the courts of the lawton and S. M. Frink two intelliging the state of the courts furnish them a remedy."

them a remedy."

L. H. Lawton and S. M. Frink, two intelligent farmers, addressed the board and asked them to stand firm for what they believed to be just and right. They said that a move had been made in the interests of the farmer and that they hoped the order would stand and that they hoped the order would stand

Judge Hawley then reviewed the order at great length. He assailed the legality of the order, the jurisdiction of the board and the questionable service. He cited authori-ties to sustain his points and compared the

action of the board with the requirements of

the statutes.

He attacked Attorney General Leese for saying that the board would sustain its orders. He did not like to discuss a question bearing premeditated decision.

Leese corrected him by stating that his language implied that the board would sustain all its legal orders. That he was open to conviction. But Hawley would not have it that way because it would deprive him of the free use of invective. But his argument was a repetition of the points raised in the was a repetition of the points raised in the answer framed by the road he represents, and of which The Bre gave a full text some weeks ago, and a repetition is unnecessary.

Mr. Hawley's argument closed the hearing

on the reduction order.

The action of the board came up this after-The action of the board came up this afternoon. The session was a stormy one, but
concluded at 6 o'clock this evening. Secretaries Mason and Munger filed their opinion
that the roads had waived all
right to any error that might have
existed in the service. Mason submitted his
opinion in writing that "findings of
facts" were necessary other than what the
record offered. To this, however, Munger
was not clear, but both concurred in the
opinion that the order was legal and that
the board had a right to make the reduction.

tion. -Attorney General Leese made a splendid fight for the people and urged the immediate issuance of a peremptory order for a tariff reduction on all the roads doing business in the state, to be followed by a writ of mandamus in the be followed by a writ of mandamus in the event that the roads refuse to comply with the order. Babcock, hindered him in every possible way, notwithstanding the clear legal opinion of one of the sccretaries that the order was legal and that the board had a right to make it. Leese urged the vote on behalf of the people. He said that \$20,000 of the people when the people is money had been squandered and nothing had been done, and insisted that it was time to act.

Laws came in with a sickly resolution in-tended to indefinitely postpone action. The vote on the resolution stood as follows: Laws, Babcock and Scott, aye; Leese and Willard, no. Leese filed his protest and indignantly left the room. Adjournment was

The resolution is as follows: "Ordered by the board of transportation of the state of Nebraska that each railroad company in the state of Nebraska be and is hereby ordered and required to furnish this board under oath of its proper officer or officers the following statistics: First—The profile of the road bed, with

such data as may be necessary to estimate the number of yards of cuts and fills, with the character of the same; whether rock, hardpan or earth.
Second—The worth and cost of right of

Third-Number of ties per mile.
Fourth-Weight of rails per yard.
Fifth-Kind of rails; steel, miles; iron,

Sixth-Number, kind and cost of locomo tives, giving number of each class or kind, Seventh-Number, kind and cost of box

freight cars.
Eighth—The same of stock cars.
Ninth—The same of flat cars.
Tenth—The same of coal freight cars. Eleventh—The same of passenger cars. Twelfth—The same of parlor and dining

Thirteenth—The same of chair cars.
Fourteenth—Bridges; the number, length
and cost of iron and wooden trestle and pile

and combination iron trestle.

Fifteenth—Culverts and viaduets, number and cost of box, stone, timber and arch. Sixteenth-The average life of locomo Seventeenth—The average life of passen-

Eighteenth-The average life of freight Nineteenth—The average life of iron rails.

Twenty- The average life of steel rails. Twenty-one—The average life of ties. Twenty-two—All other data necessary to a full, fair and thorough understanding of the actual worth of each road in the state.

STATE EXPENDITURES. The following are the state expenditures

and tolly tring the the state cape.	COLUMN COM
for the month ending August 30:	
Capitol building —	
Employes' wages	\$ 813.65
Fuel and lights	21.00
Fuel and lights	286)
Erection main building	4 675 07
Prection main building	4,015.00
Repairs to public building	111.54
Penitentiary—	14 14 14 14 14 14 14
Care of prisoners	4,220,00
General repairs	10.00
Reform school -	
Laundry, bakery, etc	1,105:00
Expenses for institution	2,279 23
Institute Feeble Minded-	
Main building	45.50
Institute Deaf and Dumb-	40.00
Dining room, kitchen, etc	1.400.00
Expenses for institution	100.01
Insane asylum (Norfolk)—	
Expenses for institution	
Insane asylum (Lincoln)	5,339.38
Insane asylum (Lincoln)	842.50
Blind institute-General expenses	1,650.74
Home for Friendless General ex-	
penses	1.083.97
Feeble institute-General expenses.	767.87
Industrial Home-	- 50,0,0,0
John Layne, on contract	9 151 84
Divinia Line in College and Co	THE PARTY OF

The following entries for the state fair have been made from Iowa, Missouri and Kansas. Their coming will tax three special

Luther Adams, Storm Lake, Iowa, two car loads of shorthorn cattle, F. Bellow & Sons, Maryville, Mo., two car loads of shorthorns and hogs. Early Dawn Cattle Farm, Maple Hill, Kan., two car loads of Herefords. Kansas Hereford Cattle Co., Lawrence, Kan., two car loads. D. M. Lee, Kansas, four car loads of Polled

Harris & Clark, Illinois, bring an exhibit of Galloway cattle. General Ross, of Iowa City, one car load of red Polled Angus. Springer & Willard, Oskaloosa, Ia., two car loads of horses. Rogers Bros., Illinois, two car loads of

Englishshire horses.
Field & Son, Iowa City, two car loads of Cleveland bays.
Home farm, Hampton, Ia., two car loads of Holstein cattle,
These exhibits come direct from the lowa state fair, which closes this afternoon.

Governor Thayer to-day issued the following rotarial commissions: William H. Lyman, Kearney, Buffalo county; Charlie J. Jenkins, Alliance, Box Butte county; T. T. Linkhart, Coleridge, Cedar county; B. J. Scammell, Omaha, Douglas, county; Elms, F. Their, Omaha, Douglas county; Elmer E. Thomp-son, Grand Island, Hall county; James P. Kernahan, Wood River, Hall county.

Drink Malto it is pleasant.

The President Said Damn.

The president is a religious man in tendency and in training, but, like most strong natures he sometimes does find relief in a good round expletive, says the New York World. Some time ago a cadet at West Point was courtmartialed and dismissed for lying. The circumstances were peculiar. He had a good standing in his class and as "an officer and a gentleman," but one day, while in class, he prompted a fellow cadet and was caught at it by the professor, who instantly asked him if he had prompted. The young fellow, taken by surprise, probably, answered "No. Then the professor turned to the other and asked if it were not true that he had been prompted by the cadet who had denied it. The second young man admitted that he had been prompted. When the finding of the court-martial was laid before the president the facts above noted arrested his attention. He laid the papers aside. After some months both the secretary of war and the superintendent of the academy urged that he should pass upon the case. The president was still reluctant and there was a further delay? Finally the superintendent represented to him the necessity of action, saying: "If you do not sign this verdict it will be very subversive of discipline in the academy." The president again sent for all the papers, looked over them for all the papers, looked over them for awhile and then said: "I cannot think it right to send a young fellow out into the world with such a stigma upon him for an offense committed under such circumstances." He looked at the pa-

pers again for a moment, and then said: "I'll be d-d if I'll sign this verdict!"
And he didn't. Across the face of the finding of the court martial is written, in his hand, "Disapproved."

Had a bilious attack and one of those indescribable cases of constant weari-Took quinine and other remedies without relief. Took Dr. Jones' Red Clover Toule; am strong and well. Asa Thompson, Logan, Ohio. Goodman Drug Co., agents Omaha.

Uses of Navy.

American Magazine: Our strong navy in 1868 alone induced England to navyin isos alone induced England to accede to the policy of arbitration. Nothing else will explain Justin Mc-Carthy's admission in his "History of Our Own Times": "They (the English) were somewhat in the position of a gov-ernment who have to submit to rigorous and humiliating terms of peace." an Englishman ever submit to "rigor-ous and humiliating terms" if he can help himself?

We can never enforce the Monros Doctrine without a strong navy. This fact must be apparent. No foreign power that may seek to violate its principles will pay any attention to our pro-tests if we have no force to back our policy. A lion will not arbitrate with a lamb when he may eat the latter. must either abandon the Monroe Doctrine entirely, or provide ourselves with the navy necessary to its enforcement,



An Important Announcement
About six weeks ago, while at business I was audienly attacked with excrudating pulse in my feet, knees and hands. So severe the attack that I took my bed immediately, and in two or three days my joints were swellen to aimost double their natural size, and siepe was driven from me. After suffering the most excrudating puls for a week, using liminents and various other remedies, a friend who sympathized with my helpless condition, said to me:

"Way don't you get Swift's Specific and use it. I will guarentee a cure, and if it doos not the mediatine shall cost you nothing."

I at once secured the S. S. and after using it the first day, had a quiet night and refreshing sleep. In a week I feet areally benefitted. In three weeks I could six up and walk about the room, and after using six buttes I was out and able to go to business. Since then I have been regularly at my post of duty, and stand on my feet from mine to ten hours a day, and an autirely free from pain. Those are the plain and ample feets in my case, and I will cheerfully answer all isquirles relative thereto, either in person or by mail.

It W. 18th street, New York City.

Nashthits, Tens—I have warded off a sovery sittless of free man by a timely resort An Important Announcement

11 W. 18th street, New York City,
NASHYLLS, TENN.—I have warded off a severo attack of rheumatism by a timely resort
to Swift's Specific. In all cases where a permanent roller is sought this medicine commendaliself for a constitutional treatment
that thoroughly eradicates the seeds of disasso from the system.

Rev. W. P. Harrisox, D. D.

New York, S. J. TH. Ave.—After speading

New York, 51 77H AVR.—After speading \$200 to be relieved of illood Paten without any henefit, a few bottles of Swift's Special worked a perfect cure. C. Porter.
Viena, Ga.—My little girl, aged six, and boy, aged four years, had serriful in the worst on gravited shape. They were puny and sickly. To-day they are healthy and robust, all the result of taking S. S. S.

LADY LAKE, SUMTER CO., FLA.—Tour S. S. has proved a wonderful success in my would have soon hurrled me to my grave. I do think it is wonderful, and has no equal.

R. H. Byth, Postmaster,
WACO, TEXAS, May 2, 1883.

B. H. Byrd, Postmeter.

WACO, TEXAS, May 2, 1883.

S. S. Co., Atlanta, Ga:
Gentlemen—Knowing that you appreciate voluntary testimonials, we take pissure in stating that one of our lady customers has regoined her health by the use of four large bottles of your great remedy, after having been an invalid for soveral years, first routils was extreme debility, caused by a disease poculiar to hersex. Willias & Co., Bruggists.
Three books mailed free on application.

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Bow York, 156 Broadway, 1



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thise made a part of the present State Constitu-tion, in 1879, by an overwhelming popular vote. Its GRAND EXTRAORDINARY DRAWINGS take place Semi-Annually, Gune and Decembers and its GRAND SINGLE NUMBER DRAW-INGS take place on each of the other ten months in the year, and are all drawn in public, at the Academy of Music, New Orleans, La.

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We the undersigned Banks and Bankers will ay all Prizes drawn in The Louisiana State ofteries which may be presented at our coun

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In the Academy of Music, New Or leans, Tuesday, Sept. 11, 1888. CAPITAL PRIZE, \$300,000.

100,000 Tickets at Twenty Dollars each. Halves \$10; Quarters \$5; Tenths \$2; Twen-

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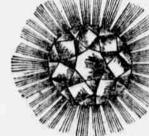
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