THE OMAHA DAILY BEE, TUESDAY, JANUARY 6, 1891.

WITH CONTEMPT. CHARGED

Yesterday's Developments In the Union Pacifio-Milwaukee War.

THE CONTEST IN THE LOCAL COURTS.

General Manager Resseguie's Retirement-Gould and Director Plummer-Meek's Mexican Mission-Railroad News.

The United States court room presented an active appearance yesterday. There was a brilliant array of legal taient interested in the celebrated injunction case of the Milwaukee against the Union Pacific. On the side of the Milwaukee were Messrs, Poppleton, Woolworth and Montgomery of this city, who were leading counsel, and beside them sat John T. Fish, the general solicitor of the Milwaukee at Chicago; John W. Carey, general addictor of the same road with headquarters at Milwaukee; M. E. Low, general solicitor of the Rock Island road, and several of the lesser lights from the law departments of both roads. On the Union Pacific side of the table sat Hon. John M. Thurston and Balley D. Wasser and Balley P. Waggener, the general attorney for the Missouri Pacific. The latter insisted, however, that he only came to look on.

A criminal case was the first on the docket and occupied the time of the court until about five minutes before the hour for the noon adjournment. In that five minutes Mr. Montgomery

called the attention of the court to an affi-davit filed yesterday in which an official of the Milwaukee road certified that the agents for that road had sought each day to cross the river in accordance with the terms of the contract with the Union Pacific, but had been prevented from doing so by the agents of the latter. Mr. Montgomery argued that the officials of the Union Pacific were in contempt as regards the United States court because the transferring of the case to the latter court also transferred the restrain-ing order of the lower court, which thereby remained in force the same as if it had been an order issued by the United States court. An adjournment was taken until 2 o'clock

before any further argument was had on this point. When the court met in the afternoon Mr.

for the Milwaukee, asked that an for attachment of the Union Pacific Fisk, order officials for contempt be issued. Mr. Thursorder had been issued by the federal court and that the violation of the orders of the lower court should not be considered by the federal court. Judge Dundy refused to issue nn order without a hearing of the case, and the arguments were proceeded with.

Mr. Poppleton opened the argument and outlined to the court the contract between the Milwaukee and the Union Pacific roads, taking the answer field by the defendant to show that the signing of the centract by the proper officials was admitted, which, he claimed, divested the defendant of all right

to claim that the contract was invalid. Referring further to the answer of the Union Pacific, Mr. Poppleton read that the Union Pacific was importuned by the Mil-waukee to enter into the contract, and that the contract had never been properly ratified. He argued that the executive com-mittee of the Union Pacific had author-ized the execution of the contract, and he charged that every act of the executive committee had received the general and sweeping sanction of the board of directors, irrespective of the character of those acts. Reading further, Mr. Poppleton called the attention of the court to a passage in which the Union Pacific repudiated the contract with the Rock Island road, alleging that the carrying out of these contracts would interfere with the proper discharge of the duties of the Union Pacific to the government of the United States, and would interfere with

the United States, and would interfere with the proper operation of the road. Another clause in the reply was read, in which it was stated that the government di-rectors had never ratified the contract and that this was another ground for declar-ing it illegal. Mr. Poppleton held that the Union Pacific road was an independent party and capable of making tentracts without the necessity of the approval of the United necessity of the approval of the United States through its representatives in the di-rectory. He held that no attempt had been

February, 1871, giving the Union Pacific power to bridge the river, and outlining the powers and duties of the company in its con-trol over the bridge. He held that the com-pany was required to allow other roads to cross the bridge at a reasonable compensa-tion. That it was not intended that the trains of the set of the bridge that the trains of other roads should be hauled by the en-gines of the Union Pacific road, but that they should be hauled by their own motive power. It was absurd to say that this act meant that a full moving train might not enter upon the bridge and cross to the point of destination with its own engine. The tendency of all legislation was towards the continuity of lines, and this could not be accomplished by the means proposed by the Union Deedee

Union Pacific. Having thus reviewed the case in full, Mr. Having thus reviewed the case in fun, and Poppleton charged that the defendants came into court with their hands red with the blood of violence, and he held that they should be made to purge themselves before coming into court by replacing the property they had destroyed. He held that the plaintiffs were entitled to a restraining order, upon the face of the showing and in view of the violence of the Union Pacific, until the latter should have restored the property displaced and have shown cause why the injunction should not be made peranent.

At the conclusion of Mr. Poppleton's ar-gument, Judge Dundy directed the officers of the Union Pacific to show cause, by 2 p. m. today, why they should not be held for contempt

Gould and Director Plummer.

It is now openly charged by interested parties in the fight between the Milwaukee and Union Pacific that Government Director Plummer of the Union Pacific is being used by Gould to impress the officials at Washington and to endeavor if possible to enlist their aid in the wizard's schemes for freezing out the Milwaukee and Rock Island roads from Omaha. Mr. Plummer, it is claimed, went to Washington at the instigation of Jay Gould a short time ago and appealed to the secretary of the interior to declare the contract with the Rock Island and St. Paul roads null and void because it was against public policy and calculated to injure the overnment's interest in the Union Pacific. Government Director Plummer was formerly a member of the large grocery firm of Plum-mer & Co. of New York, which made a bad failure about a year or so ago. Mr. Plummer was somewhat of a politician in New York, and consequently succeeded through the in-fluence of Jay Goula and prominent New York politicians in securing the appointment of government inspector of the Union Pa-cific. He has ever since tried to rehabilitate fic. He has ever since tried to rehabilitate himself in business, and it is the opinion of railroad officials that he expects to secure lould's support by befriending him in this

"It is strange," said a prominent official, "that a man holding so important a position as government director of the Union Pacific ould not have sufficient intelligence to understand both the meaning and import of a contract as plain and simple in its provisions s the one between the Union Pacific and Rock Island and St. Paul roads."

Meek's Mexican Mission.

General Manager Meek of the Colorado and Fort Worth divisions of the Union Pacific, whose resignation has been accepted, has, it is said, a fortune ahead of him in some Mexican investments. He has secured grants from the Mexican government giving him the sole right to introduce electricity into the City of Mexico for lighting and transporta-tion purposes. His plans are said to include the building of 200 miles of electric railway and as he has a corner on the business, he is sure to make money. His concession is considered one of the most valuable ever granted

by Mexico. Mr. Resseguie's Retirement. General Manager Resseguie of the Montana division of the Union Pacific has been re-

lieved and W H. Bancroft, late of the Rio Grande & Great Western, appointed to succeed him. This change was reported in these columns several days ago. Mr. Resseruie has been un fortunate in his management of the division and the retirement is the cui-mination of a bitter fight that has been made against him over since he has been connected with the Union Pacific by certain officials of the company. His resignation takes effect

MORSE'S.

January 15.

Special Boys' Clothing Sale-Curtain and Window Shade Bargains for

is given in the reports of the wholesale trade. The bogus sheet claims that the city has 300 wholesale houses. It gives a purported list of 197, leaving 200 unaccounted for. THE BEE claimed 206 wholesale houses, gave a Among the jobbers that sheet found five dealers who wholesaled coal, coke, cement, lime, etc. The Bas accounted for fourteen

of the reviews from a statistical standpoint

such firms,

The bogus sheet found eighteen produce and commission dealers. The Brs gave a list of twenty-nine such firms with their year's business. Our contemporary dodged tables on the capital invested and sales of the

tables on the capital invested and sales of the jobbers. The Bargave both. The bogus sheet's figures regarding the manufacturing industries are on a par with its jobbing reports. It claims 113 manufacturing establishments for Omaha, but does not give any dotails of their work. The Bargave a list of 168 manufacturing establishments and a resume of the year's business of most of them. In this department, the abortion rethem. In this department the abortion re-ported sixteen brick manufacturers. Tan Bre gave a list of twenty-nine of them with their individual and aggregate products. The bogus sheet reported fourteen cigar manufacturers. The Bas found thirty-five. The bogus sheet had reports from four car-riage and wagon makers. The Bas reported

the business of eight of them. The bogus sheet had three such manufacturers ; The Bas reported ten, with their bus-

iness, employes, etc. Tur Bar found three soap manufacturers, five planing mills, one saddle manufactory, two boiler factories, one wall plaster factory, an asphalt plant, a feed cooker, a plating works and a dozen or so other manufactur-ing plants that were not mentioned at all m the "only annual."

While the "Own and Only" satisfied itself with giving the receipts of live stock at the South Omaha yards for the year, as com-pared with former years, THE BEE gave the receipts and the shipments as well, both by months and years since the opening of the yards. THE BEE gave the percentage of the consumption of the receipts, the lowa receipts, the cattle and other stock driven in, the percentages of increase in every department, the men employed and wages paid by the stockyards company, reports of inspectors and officials, all items of interest that were overlooked by "the only."

There can be no comparison at all between the two reports of the year's work of the packing houses. The "own and only" con-fined its report to three-fourths of a column of very measure and incomplete figures, omit ting the Omaha packing company's house entirely from the list. Tug Beg devoted five columns to the most complete report of the packing business ever published. The aggregate business of the houses was given supplemented with a detailed statement of the business of each house and a recapitula-tion showing the disposition of stock, tetal slaughterings, average weight and cost, ship-ments in car ious, the production in pounds and the value to a cent of the year's business. All of these features were absent from the "only annual."

According to the latter the banks of South According to the inter the banks of South Omaha have a combined paid up capital of \$220,000, and deposits aggregating \$1,91,103. The facts are, as published in The BEIS as-nual, the paid in capital of the South Omaha banks aggregate \$337,000 and deposits are held amounting to \$1,692,165.

These comparisons could be carried to any ength. The business men of Omaha should length. enjoin the publisher of the "Only Annual" from circulating it.

LIQUOR LICENSES.

Several More Granted at Last Night's Session of the Board. All members of the fire and police commission excepting Mr. Smith were present at

last night's meeting. A charge against Officer Godola made by John Henry and Louis Marley of Lincoln was read and set for hearing on Monday, January 11,

Officer O'Brien was granted a ten days' eave of absence. Charles Mayers, who was appointed as

pecial police officer for the Union Pacific, endered his resignation, which was accepted. The resignation of C. H. Pringle, a fire-man, was presented and accepted. A communication from the council author-

izing the purchase of a fire atarm box was read and placed on file.

The board then resolved itself into a hoense board to eximine the bonds of applicants for saloon licenses. There were about twenty applicants present with their bondsmen, and the board proceeded to ascertain the pecumary ability of the bondsmen to become sureties on license bonds. The following licenses were granted: William Schmitd, 612 South Ninth street; Peter Fedde, 734 North Six-teenth street; Edward Maurer, 1213 and 1214 Farnam street; Claus Hansen, Si9 ties on license bonds. The following licen teenth street; Edward Maurer, 1912 and 1214 Farnam street; Claus Hansen, S19 South Seventh street; Jacob Ropald, 713 North Sixteenth street; Henry Bieser, 1140 North Sixteenth street; Jeppe J. Grain, 701 Leavenworth street; Jeppe J. Grain, 701 Leavenworth street; Justin Kessler, 1214 South Thirteenth street; Henry Pundt, 1218 Farnam street; John H. Weitzel, 213 South Thirteenth street; Krug Brethers, 2201 South Thirteenth street; John Andnt, 1806 South Sixteenth street; August G. Stephan, 1306 Douglas street; Benton Silloway, 310 South Fourteenth street; Little & Me-Tague, 1509 Farnam street; Honry Grack, 2603 Walnut street; Louis P. Johnson, 2123 North Twenty-fourth street; M. K, Gillgallon, 1136 Chicago street; Joseph Landrock, 1264 South Sixteenth street; Will-iam Young, 416 South Sixteenth street; John him, gold-headed canes set with am Young, 416 South Sixteenth street; John Boyer, 1627 North Twentieth street; John North Twentieth street; John Boyer, 1637 North Twentieth street; John Boyer, 2536 Lake street; Thomas J. Foley, 1412 Douglas street; John Gulk, 1814 Mili-tary avenue; Louia O. Hibben, 220 South Thirteenth street; Daniel Mc-Coy, 323 South Twelfth street; A. B. Andrews, 934 Douglas street; Julius Nagle, 612 South Thirteenth street; Riley Bros., 1309 Douglas street; Gustav Brudla, 424 North Sixteenth street; Charles Sharmay 1234 South Thirteenth street; sharpow, 1224 South Thirteenth street; shank & Prince, 523 South Tenth street; storz & Iler, 103 North Fifteenth street; Storz & Her, corner of Eighteenth and Grace streets; Charles Thies, 1520 South Thirteenth street; Amelia Fieldgare, 1630 South Tenth street; Woolestein & Co.,223 North Sixteen th

SOME AMERICAN TREASURES.

Rich Jewels Deposited in the National Museum at Washington.

ORDERS, MEDALS, CUPS AND COINS

The Sultan Makes Wives of Diplomats Happy by Presenting the Order of the Shekefat for Life.

The most valuable jewels in the national museum in Washington, D. C., are the relics of our great men near the entrance. These are worth tens of thousands of dollars in intrinsic value of the gold and jewels of which they made, to say nothing of the workmanship, says the Jeweler's Weekly, There are swords by the dozen set with diamonds, guns inlaid with precis stones and canes which have heads of gold in which gems are imbedded. A guard is detailed to watch them night and day. Each case has a burglar alarm connected with it, and the least meddling would set an electric bell ringing and call the museum army together.

The Grant collection is one. It is made up of hundreds of gold articles exquisitely engraved and brought together from all parts of the world, of rare stones, of china more valuable than though it were of solid gold, and of other articles which, if melted down, would fully pay the president's salary for a year or more.

In one case there is a complete collection of gold and silver coins of Japan, which has a wonderful numismatic value, as it is the only complete set in existence, except one in the Japanese treasury. Some of the gold coins are a quarter of an inch thick and as large around as the top of a dinner pail. Seven of them cost \$5,000, and there are perhaps a hundred in the collection. In another case there are half a dozen arge elephant tusks which the king of Siam gave to General Grant, and there are six pieces of costly jade given him by ct the princes of China. All of the

swords presented is him are there, and many of them have diamonds set in the has a solid gold head, representing the Goddess of Liberty, which has two rubles, two diamonds, and two sapphires set in it. The sword of Chattanooga has fourteen diamonds embedded in it. and many of the gifts which he received from foreign monarchs are of gold set

with diamonds. One of the medals which are in the collection contains \$600 worth of gold, and is as large around as the bottom of a tin cup. The gold articles in this collection would fill a peck measure, and many cities seem to have given General Grant a gold box containing the papers in which their freedom was presented. The box which he received at Ayr, Scotland, is as big as a cigar box, and is of solid gold. The city of Glasgow gave him a still larger one, beautifully chased, and the gold box which he received from the city of London is a wonder of artistic workmanship, bearing an en-graving of the capitol on one side and of the London Guildhall on the other. Enameled on its golden surface are the union jack, the red, white and blue, and

the goddess of liberty shaking hands with the British lion. There is a beautiful cigar case of gold from the king of Siam, a model of the table on which Lee's surrender was

tween his knees with the barrel resting against his abdomen when, by some means unknown to anyone, the gun was discharged, PRESIDENT THOMAS J. LOWRY. unknown to anyone, the gun was discharged, the buik of the shot penetrating his head directly under the chin and also his breast, reaching the heart. Considerable shot also lodged in the abdomen. Matson gave one groan and rolled to the floor. Leffert jumped to his rescue in time to catch the failing form. Matson is a married man with two children. married man with two children.

A Polsoned School Well.

HASTINGS, Neb., Jan. 5.- Special Telegram to THE BEE. |-The janitor of the South ward school building, this morning notified the police that he found, upon drawing water from the well that supplies the school children, a box of rough on rats. The supposition is that the dastardly act was committed by an enemy of the janitor, as the box must have been placed in the well some time Saturday night. But for the accidental discovery by the janitor, wholesale poisoning would necessarily have followed. The matter has been placed in the hands of police for

Fireat Wilcox.

investigation.

WILCOX, Neb., Jan. 5 .- [Special to THE BEE. |- The residence of J. W. Moore, cashier of the State bank here, burned this morning between 5 and 6 o'clock. Cause unknown, probably a defective flue. When discovered the fire was breaking through the roof and the members of the family, who were asleep in the second story, had to make their escape in their night clothing. Some of the furniture from the lower story was saved, but the cozy home is in ruins. Loss, about \$4,500; insurance, \$2,700.

Nota Railroad Man.

HASTINGS, Neb., Jan. 5.- Special Tele gram to THE BEE.]-Annie Paulick, one of the runaway girls supposed to have been enticed from here by a certain railroad man, was found at Sutton last night, Her parents today filed application to have the wayward girl sent to the reform school at Kearney. The petition was granted and she will be taken tomorrow. Your correspondent learns today that no railroad man was implicated in the affair as reported in several papers.

An Unfortunate Creamery.

CLAY CENTER, Neb., Jan. 5.- [Special to THE BEE.]-On January 3 the creditors of the creamery firm of Furer & Pearsoli, who had creamories at Fairfield and Davenport, met in this place and elected S. M. McKelvy assignce. There are about eight hundred creditors, mostly farmers, who were selling their cream to them. Mr. Furer made a prop-osition to them that if they would give him the management of the creamery he would pay them 100 cents on the dollar.

Joe Grimes' Company.

BEATRICE, Neb., Jan. 5.-[Special Tele gram to THE BEE.]-Captain Joe W. Grimes of this city has received tacit authority from hilts. The sword given to General the governor toenlist a company of cavalry Grant by the sanitary fair at New York as a set of the Indian war. Captain Grimes has his company roll about completed now. The boys will furnish their own horses and only ask for arms, ammunition and prov-ender. They will take their chances with the legislature for an appropriation for payment.

A Hunter's Accident.

TALMAGE, Neb., Jan. 5.- Special Telegram to THE BRE. |-Fred Berlett, son of Banker Berlett of this place, was seriously wounded this morning by the accidental discharge of a 3S-caliber revolve in his own hands while hunting muskrats on his farm, seven miles south of the city. The ball penetrated the left leg about midway between the thigh and knee, taking a downward course.

Generous Clay Center.

CLAY CENTER, Neb., Jan. 5 .- [Special to THE BEE. |-A car load of clothing, groceries and grain will be shipped from this point to western sufferers on Tuesday of this week. Our people have contributed very liberally to the call for aid.

The cholera is raging among hogs in this locality, some parties near by losing as high as 100 head in a week's time.

Joseph's Ambition.

TALMAGE, Neb., Jan. 5. - [Special Telegram to The Bes.]-It has been for many months an open secret in allance circles that Talmage would furnish a candidate for the postsigned in solid gold, and a solid gold in- mastership of the house in the person of

That is the Title of the Head of the New Council. A STRAIGHT DEMOCRATIC ORGANIZATION.

John Groves Remains City Clerk-

Wind Up of the Old Council's Affairs - A New Deal Tonight.

The incoming council will be strictly demoratic in its organization for the coming year, and Thomas J. Lowry will be its president. This conclusion was reached yesterday evening after an eight hour caucus of the ten emocratic members of the council.

Morearty, Osthoff, Donnelly, Cooper and Lowry were the candidates before the coun-

cil, and it was only after a long consultation and the taking of countless ballots that the choice fell to Lowry. A dozen candidates were up for the clerk-

ship and the selection caused almost as much work as did that of the president. It was finally decided to retain John Groves, the present incumbent, this compromise being necessary to secure the consent of Morearty and Osthoff to Lowry's election as president The result of the caucus was quictly given out when the old council was called to order to wind up its year's business, which was done in a session lasting less than an hour. The first subject for the council's consid-eration was a message from the mayor urging that some action be taken tooking to the erection in some public place in Omaha of a suitable and appropriate monument to the memory of the late General George Crook, The mayor named J. S. Collins, John A. Creighton, G. W. Lininger, J. M. Woolworth and Dr. George L. Miller as a committee to consider the subject and report upon a loca-

tion and the probable cost of such a monu-ment. The recommendation of the mayor was concurred in. Contracts were approved as follows : With the World-Herald for the city adver sing: with George A. Coagland for lumber with James Stephenson for feed; with the Omana printing company for blank books,

Stationery and office supplies, with F. C. Festner for blank warrants, etc. with the Pokrok Zapuda for other city blanks. Dr. J. P. Lord's bill for \$0 for recording births and deaths for the month of March, Areth. April and May came up again, and on

Wheeler's motion was laid upon the table. A resolution was adopted declaring that hereafter the board of public works shall let contracts for paving by districts instead of letting all contracts for the year at a single letting. A protest against the acceptance of the

report of the appraisers for the change of the rade of Hamilton street from Twenty-fourth o Lowe avenue was received and referred to the committee on grades and grading.

A few ordinances of minor importance were passed and the council of 1800 adjourmed. The republican members sought a neigh-boring eight store and played high five until a late hour. The democratic contingent sought a convenient restaurant and cele-brated the consummation of their efforts in securing an organization for the coming year's work.

Wanted-Good and permanent em-ployment for a limited number ladies and gentlemen. Callon or address Cook & Acres, Hotel Casey, Omaha.

HIS HANDS ARE CLEAN.

The Secretary Congritulates Himself That He is Not Responsible. WASHINGTON, Dec. 5 .- Secretary Noble was questioned today as to what action had been taken on the recommendation of General Miles that Indian agents of South Dakota agencics be relieved from further duty and that their places be filled with military officers. The secretary said he did not care to discuss the matter further than to say the subject had

not been mentioned to him by any one with authority. It is believed, however, that should General Miles' recommendation be submitted to him by the president for his

The De Wolf Hopper

Sioux, but on the contrary had already begun to cut down rations in violation of all reaty obligations. The secretary desounced these statements as inqualifiedly false. The report of starvation among the Siour was a pure fabrication. For ten long years, the government in fallfillment of its treaty coll-gations had been feeding the Sioux in idleness. Some of them, however, were thrifty farmers and good citizens, but the large pro-portion were a thriftiess and indolent set, portion were a thriftless and indolent set, perfectly willing to spend their time in idle-ness and in finding fault with the government on every conceiv-able pretext. The treaty of 1577, the secretary said, obligated the government to fournish them with a certain answert of feed furnish them with a certain amount of food, clothing, implements, horses, cattle, etc., until they should become self-supporting. After ten years clapsed, during which time the government spent millions of dollars with a view to placing the ludians on a self-sup-porting basis, members of congress yeary promporting basis, members of congress very prop-erly began to inquire whether it was the purpose of the government to continue indefin-itely and forever the policy of feeding the indians who persisted in fiving in ideness. They thought it about time to test their ability to support themselves. And so the appro-priation was reduced \$100,000, not a very large amount when compared with the vast sum which the usual appropriation called for. Thereupon the Indian immediately began to mplain, but made no effort toward feeding mself. He occupied a western territory containing thousands of acres of productive land. He was supplied with everything necessary to improve and raise good crops

but preferred to do nothing and let the gov-ernment continue to put food into his mouth. It was true, the secretary thought, that these people shound be compelied to do some-thing, and he had lost patience with those who upheld the Indians in their idleness. He sincerely repreted that the recent action of the military had resulted in bloodshed, and he congratulated himself that his department was in no means responsible for it.

SAVED BY HIS DOG.

A Chicago Saloon Keeper Owes His Life to His Newfoundland.

Curresso, Jan. 5.-[Special Telegram to THE BRE.]-Frank Koppek, a saloon keeper on Hancock, and his wife owe their lives to a Newfoundland dog. The family occupy apartments over the saloon. The fire started at an early hour in the rear end of the room and soon filled the apartments above with stilling smoke. The dog, which was chained behind the bar, managed in some way to break the chain and bounded throngh the glass doors leading up stairs. Koppek and his wife were stupefied with smoke. Whether the barking of the dog aroused him or whether the dog dragged him out of bed Koppek does not know, but at any rate, when he came to his senses he found himself lying on the floor near the window with the dog beside and soon filled the apartments above with floor near the window with the dog beside him alternately backing and licking his face beside

Kapped saw the fire eating its way up the stair case, and managed to get out of the-window and turn in an alarm. When the firemen came he took his wife down from the window, where he had placed her out of the reach of the flames. The dog, which was badly cut in jumping through the glass door, disappeared and cannot be found. He is a splendid specimen of the Newfoundland breed and has saved two or three people from drowing in the past.



made by the board of directors to revoke the contract, but an arbitrary method had been taken to declare upon the validity of the contract without leave or license of the second party thereto.

Faking the contract between the two roads, Mr. Poppleton proceeded to analyze it. The defense, he said, claimed it was a lease. He held it was simply a contract for terminal facilities in the cities of Omaha and South Omaha, giving the Milwaukee the right to run over the tracks between these points and the manufacturing districts of both cities, using its own motive power, in consideration of an annual rental of \$45,000, payable

monthly. Mr. Poppleton claimed that the contract was a fair one, for which the Union Pacific was to receive ample consideration. The statement had been made that the terminal facilities of the road in Omaha were worth \$5,000,000 or \$6,000,000, and according to the contract they were to receive a rental equal to 5 or 6 per cent, which he considered am-

He argued that the Milwaukee and Rock d would have had a bridge of their own had they not been decoyed into a contract with the Union Pacific.

with the Union Pacific, Speaking of the contract between the Mil-wankee and the Union Pacific, for terminal facilities when the new depot should have been completed, Mr. Poppleton charged that, in view of the declaration that the contract in question was illegal because the Union Pa-ctfic had no right to grant the use of its tracks and bridge to other roads, the en-trance of any castern road to Omaha was im-possible as long as the Union Pacific stood

Taking the statement that the agreement in question was a lease, and that the Union Pacific had the right to abrogate it, Mr. Pop-pleton proceeded to show that the agreement pleton proceeded to show that the agreement bore none of the distinctive characteristics of a lense. The Union Pacific re-tained full control of the tracks, which the Milwaukee was allowed to run over; was bound to keep the tracks in repair and re-served the right to govern the movements of the latter's trains. The Union Pacific com-nany did not abrogate one schilling of its pany did not abrogate one scintilla of its power in the contract. It was only a means whereby the Milwaukee might reach Omaha with its passengers and freight without the annoyance of the exchange on the Iowa side. Not a word in the contract related in any way to franchises, or the releasing of any part of the control of the Union Pacific over its road, and it could not be dubbed a lease in the legal meaning of that word. It was a contract and provided among its terms that all differences should be settled peaceably by arbitration. He claimed, therefore, that neither party had the right to doclare the contract illegal and yold. void

vold. After quoting from numerous authorities to support his stand, Mr. Poppleton referred to the practice which is rapidly growing in this country of making the traffic of the country pass over the roads which now exist instead of covering the land with parallel roads at an outlay of millions of dollars. He roads at an outlay of millions of dollars. He charged that the present case was not a con-flict between the Union Pacific, the Milwau-kee and the Rock Island, but was a contest between an irresponsible and ruth-less power, which was slowly reaching out its tentacles to oppress the whole community, and the people. These people had, after long suffering, cried out for reltef, with but little prospect of getting it.

long suffering, cried out for relief, with but little prospect of getting it. Mr. Poppleton then read from the proceed-ings of the interstate commerce commission relating to the contract between the Union Pacific and Rock Island, giving the latter running orivileges over the tracks of tho former between Topeka and Kansas City. The commission found that the contract between these two roads was a local between these two roads was a legal one, and the Union Pacific had in no wise suffered in any way from this contract, but that the general business of the country had been improved by obviating the necessity for the construction of parallel lines.

After quoting from numerous authorities After quoting from numerous authorities to show the right of the Union Pacific to legally make such contracts as the one in question, Mr. Poppleton proceeded to show the effect of the state law upon the question, quoting from the Hebraska statutes an act giving roads in existence before the passage of the act authority to make contracts for the use of their tracks. He claimed that this act had a bearing on the question. He quoted also from the act of congress of

This Week-Embroidery Sale Now On. Will offer Tuesday morning one hun-

dred boys' heavy winter overcoats with capes, sizes 4 to 13, for \$1.75. Another lot of boys' heavy wool cape overcoats selected from our \$4.00, \$4.50,

\$5.00, \$6.00 and \$7.00 lines, we will close out all at \$3.75. Boys' warm winter suits in checks,

plaids and stripes reduced to \$2.90. A lot of boys' knee pants, good qual-ity, suitable for winter wear, stock of

odds and ends, only 39c. We have about one hundred boys'all wool kilt suits in desirable patterns, and perfect fitting, which have sold at from \$5,00 to \$6,00. We have decided to sell the entire lot at \$2,75.

Men'sand boys'furnishing department, Farnam street wing. THE MORSE DRY GOODS CO.

UPHOLSTERY DEPARTMENT. Bargains this week.

18 pairs only. Tomorrow we will offer 18 pairs Irlsh point lace curtains, 54 inches wide by 34 yards long, at \$5.00 per pair. This curtain has sold for \$8.50 all season. 150 odd shades. We have short 150

150 odd shades. We have about 150 odd shades made from very best hand-painted opaque shading, and Scotch Hol-land, mounted on Hartshorn spring roll-ers, which we will close out at 25c each. Tomorrow only 1,000 curtain poles in ebony, cherry, black walnut, antique oak, maple, ash and mahogany, trimmed black walnut, antique with brass trimmings, complete 20c

Remnants of furniture coverings, fringes, muslins, laces, silks, etc., will be sold regardless of cost. THE MORSE DRY GOODS CO.

THAT "ONLY" ANNUAL.

A Mass of Inaccurate and Worthless

Figures, Early in the 70's THE BEE conceived the idea of publishing the first annual review of Omaha's financial, commercial and industrial growth. Each succeeding year was rounded out by these records of unsurpassed progress and prosperity. The one object always held in view in compiling these exhaustive facts and figures was that of accuracy and reliability. Inflation was tabooed from first to last, primarily because it was unnecessary and always because it was in every sense ill-advised and unwise. In short, THE BEE's Reviews have been standard goods. Every other year THE BRE's annual has been illustrated and the artistic work was the best that money could secure. In the alternating years the review has not been illustrated, special efforts having been directed toward comprehensive and absolutely reliable statistics of the year's record of advancement.

In recent years competitors have essayed to rival Tug Bag Annual. But their efforts have been dismal failures. They have thrown upon the city a mass of half-cooked stuff. made up of glittering generalities, in-flated figures and loaded down with

firearm."

errors and inexcusable blunders. The padded and distorted figures of one year were belied and rendered ridiculous the next. Pretending to be a credit to the city, they worked irreparable damage to her interesta Their circulation, however small, should by

all means have been suppressed. January 1 The BEE issued the most complote and accurate review ever published. Its reliability cannot be successfully attacked. Let it speak for itself.

A would-be rival or imitator published on the same date an alleged review. A more abortive issue never left a newspaper office. An illustration of the comparative worth | winter, returning in April or May next.

treet. The board then adjourned to meet this fternoon.

MANY CALLS FOR BIG GUNS.

Frontier Settlers Reducing the Stock of Omaha's Ammunition Dealers. The Indian outbreak has at least been the the means of exhausting the supply of rifles at every hardware store in Omaha, and additional orders are coming in by every mail which the dealers are unable to fill.

A Baz reporter visited the wholesale houses and several of the retail hardware stores yesterday, and found that there had not been a rifle of from 40 to 50 caliber on hand for several days. Said one of the dealers: "Everybody in the northern part of Nebraska and Southern Dakota wants a gun and wants it bad. Up to the present time we could have sold 200 more guns if we had only had them in stock, and I have every reason to believe that the same is true of uperic avers horizon horizon in the site had of nearly every hardware house in the city. We have also sent out a large quantity of ammunition, but still have some on hand. The bulk of that shipped out consisted of 40-82 cartridges. I just received an order for twenty more rifles, but of course could not fill it. They don't seem to want any shotguns, although there is every reason to believe that if no rifles are to be secured the settlers in the threatened a be secured the settlers in the threatened listricts will be glad to have any kind of a

The Caucus Lash.

If there was over one thing more than any ther against which Dictator Burrows has been waging relentless war for years, it is he party caucus. The caucus has been deaccurced by him year in and year out as the trap where independent men are bound hand and fost and delivered at the dictation of the majority.

Times have changed, and Burrows has become the foremost caucus boss of the state. To be sure, he calls the caucus a conference, but the conference into which he has coralled the independents of the legislature differs in no feature from the regular party caucus, not omitting even the boss that swings the party

lash and threatens everybody with dire ven-geance if he dare disobey the mandates of king conference. This only goes to show that the new party is rapidly adopting all the old methods which its leaders have been condemning.

G. C. Hobble and family left yesterday for St Augustine, Fla., for the balance of the

vitation card as large as a postal card and about four times as thick, which was sent to General Grant in a solid silver envelope, inviting him to a masked ball at San Francisco. There are a number of silver menus, a gold-handled knife which the miners of Idaho gave

monds, and medals and other articles of gold. The order of the Shelekat, which the sultan gave to Mrs. S. S. Cox, is also kept in she national museum. It is a star larger around than a trade dollar, which sparkles with more than a hunered diamonds. These diamonds are set in gold on brown, gold, and green enamel. The star has five points, and there are twenty-six diamonds on each point. It has a beautiful ribbon sash connected with it, and was given to Mrs. Cox one night at the sultan's palace when she went there to dinner with her husband and ate Turkish viands served up by a French cook on gold plates. After the dinner was over the sultan presented this insignia. She thought, I am told, that she was to have it forever, but it seems that his majesty only lends such presents for life, and when she dies it if to be returned to him. The wife of Minister Straus was decorated with the same order, and she will have to return it in the distant future.

Uncle Sam has a vast collection of the jewels of savages. He has silverware made by the Indians of Arizona, carved ornaments from Alaska and great bracelets and anklets of gold, silver and brass from India. One of the most curi-ous necklaces in his collection is one of chase. human fingers, which the men of some of the Indian tribes wear, and there is one made of sixty-seven human teeth. with holes pierced at the roots to string them. This necklace was ten inches long,

and a number of teeth evidently need filling. It came from the Fiji islands, and was found there in 1840. Another necklace was made of human hair, into which the tusk of the walrus was woven. It was about two inches thick and twenty inches long. Another savage "fiecklace is one of human and dog teeth combined, there are necklaces of stone, of gold, sil-ver, copper and brass of all shapes and gathered from all parts of the sizes,

world. It is difficult to appreciate the size of the National museum. It is growing more rapidly than Jonah's gourd, and it is now one of the best organized muse-ums in the world. It surpasses any other in the line of Indian antiquities and matters connected with America and vast additions from all parts of the world are received every year. Already

the building which was construced a few years age for it is packed to bursting, and a new one will have to be built very soon.

Whooping cough, croup, sore throat, sud-den colds, and lung troubles peculiar to chil-dren, are easily controlled by promptly ad-ministering Ayer's Cherry Pectoral. This remedy is safe to take, certain in its action, and adapted to all constitutions.

INSTANTLY KILLED.

West Point Sportsman Accident ally shoots Himself.

WEST Point, Neb., Jan. 5 .- [Special Tele gram to THE BEE.]-Sunday noon Fred Leffert and Carl Matson went hunting four miles south of town, and when near the farm of Nicholas Maack, were called in by Mr. Maack, who had some birds and skins for Leffert to stuff. While the articles were being brought Watson and Leffert sat down. Watson had his gun be-

Joseph W. Smith, who left for Lincoln this afternoon. Mr. Smith has a good following and his friends are confident of his success.

It Will Not Happen Again.

NEBRASKA CITT, Neb., Jan. 5 .- [Special felegram to THE BEE. |- The county commisioners today redistricted Nebraska City, in diaaccordance with the law, making each ward a separate precinct. It was the lack of this, upon which the decision declaring Nebraska City precinct bonds illegal, was based.

Bluff Poker.

NEBRASKA CITY, Neb., Jan. 5. - [Special Telegram to The BRE.] -Six negro tramps attempted to run things to suit themselves on a Missouri Pacific passenger train from Omaha last evening and the passengers were badly frightened. A brakeman was com-pelled to crack the leader's skull with a poker before the gang could be controlled.



Land Purchased There for Occupation by Russian Jews.

CHICAGO, Jun. 4.-[Special Telegram to THE BEE.]-"It looks pretty much as if Mexico were to be the asylum of the oppressed Jews of Russia," Henry Richardson, a citizen of the southern republic's capital remarked this morning. "A short time ago a movement to contribute to the relief of the Russian Jews was started in San Fran-

cisco. It acquired momentum rapidly, and when a subscription of about \$250,000 had been collected the movement started to skirt the Pacific coast. It has met with most gratifying success and negotiations are already under way for the purof 1,000,000 acres of land the west coast of Mexico. Ishould not be surprised if the purchase had by this time been made. So this tract

will be divided into small farms and settled by Russian refugees, whose passage will, I understand, be naid for by some foreign Jewish society. All the refugees, or nearly all, are farmers. The land to which they will be sent to sottle is excellent for agri-mittem supersessed Martine will be did to cultural purposes and Mexico will be glad to have them.

along

Nebraska, lowa and Dakota Pensions. WASHINGTON, Jan. 5 .- | Special Telegram to THE BEE. |- Pensions were granted today to the following Nebraskaus: Original-Jacob A. Wolfe, Prague; Robert W. Oliver, Kearney; James A. Petty, Beaver Crossing. Additional-Jacob A. Wolfe, Prague; Anthony Martin, Waumeta; Daniel E. Morley, Decatur; Henry Swartstager, Lodge Pole.

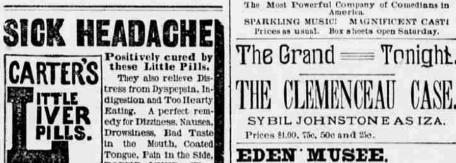
ncrease-Samuel E. Pearl, Lincola; Daniel & Ball, Nelson; David A. Wisher, Verdigris, leissue-Jacob S. Rutnerford, Beatrice. issue and increase-William Austin, Newcastle.

castle. Iowa: Original-Isham M. Thomas, Morning Sun, special act; William Stone, Lamett; Charles L. Lockie, Pomoroy; James Maheffey, Red Oak; William C. Marsh, Aurelia: Pate Weber, Marcus; John C. Dataser, States Veber, Marcus; John Marsh, Aurena: Pole Weber, Marcus; John S. Patterson, Sibley; Joseph McGure, Des Moines; Calvin Lantis, Correctionville; William Lawrence, Parkersburg; William Lansing, Brayton; Bradford G. Ostrander, Lawier; Samuel Phillips, Diognai; Silas Willam Reynolds, Des Mones; John C. William Reynolds, Des Moines; John C. Piper, Irwin. Additional-Samuel M. Ed-mond, Vinton; Benjamin F. Cowgill, Villisca; John Mullins, Grinnell. Increase-George W, Montin, East Des Moines; Charles C. Blackstone, Miles; John W. Clinkenbeard, East Des Moines; Thomas L. Elliott, Green-wich; Oliver W. Morris, Centerville; Ed-ward Harris, Ortonville, Reissue-David H. Cochran, Coins; Worthington McNeal Mys. Cochran, Coinx; Worthington McNeal, Mys-tic, Reissue and increase-Richard Cook, Fontanelle; Harry C. Brown, Polk City, Original widows-Elizabeth G., widow of George Spry, Des Moines; Alice J., widow of George E. Carpenter, Oelwein,

Mrs. L. L. Kellogg and Mrs. H. R. Bleakney of Slous City returned home yesterday from an extended visit with Mrs. M. K. Mc Combs of Irvington.

views the secretary would strongly oppose the transfer. Opera Bouffe Co.

The secretary spoke with some earnestness of the reports which have been in circulation recently to the effect that the Indians were in a starving condition and that the pending CASTLES IN THE AIR trouble grew out of the fact, that the govern ment had not kept its agreement with the





Will Lawler, Manager. Cor. 11th and Farnam WEEK OF JANUARY 57H. That Big Misso it Girl. Pretty Ella Ewing, 8 feet tall, 15 years old, weights 253 pounds. FUN IN A GROGERY. Satirical hit of the day, introducing the funniest specialties of the day. Fun. Wit, Merriment. Epps's Cocoa. DR. MCGREW,

BREAKFAST.

"By a thorough knowledge of the natural laws which govern the operations of digestion and nutri-tion, and by a threful application of the fine proper-lies of wellselected Coroa. Mr. Epse has provided our breaktast tables with a delicately finvored hever-age which may spree us many heavy doct ors bills. It is by the indictors use of such articles of diet that a is by the indictions use of such articles of dist that a constitution may be gradually built up until strong enough to resist every tenduncy to dissare. Hun-dreds of subtle maindies are floating around us ready to attack wherever the e is a weak point. We may escape many a faul shaft by keeping ourselves well fortilied with pure blood and a properly nourished frame." -Civil Service Gazetts. Made simply with boiling water or milk. Sold only in half pound thus, by greers, labeled thus:

JAMES EPPS & CO., London, England.



PRIVATE DISEASES

 PERFECT
 HEALTH

 Richard H. Beek Lockport, N.Y., writes that after

 many years suffering from Nervous Dubility, Sieep

 fessness, Twitching of Muscles he way reatored by

 four hoxes Nerver BEANS. "Tam 56," ho says "but

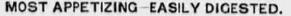
 foil ike a young man." If per hox, pestpelt. Pan

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The VAN HOUTENS process renders their cocoa easy of digestion and develops in the highest degree its delicious aroma. It is an excellent flesh-former, fifty per cent. greater than the best of other cocoas.



IF VAN HOUTEN'S (OCOA ("oncetried, always used") is theoriginal, pure, soluble Coros, invented, made and patented in Holland, and is to-day better and more soluble than any of the numerous initations. In fact, it is generally admitted all over Europe and a comparative test will easily prove that moster focces equals this fave stores in solubility, agreeable tasts and sutritive qualities. "Largest sale in the world." Ask for Van Hourze's and take no others. *****

