THE OMAHA DAILY BEE: THURSDAY, DECEMBER 24, 1891.

reproached them her would declare he had never mide them. In her opinion there was no doubt as to seer husband's insanity.

FOUND THE RECORDS AT LAST,

Peatrice Will Now Settle With Her D posed Water Commissioner.

2

HOW THE LEDGER WAS DISCOVERED.

Though Securely Huiden for Years, it is Uncarthed by Firemen While Fighting Flames-Other Nebraska News.

BEATRICE, Neb., Dac. 23,-1Special Telegram to The BEE. |-After a lapse of two years books have been brought to light which will enable the city to balance its accounts with William A. Wagner, a deposed water commissioner. William A. Wagner was the first water commissioner the city of Beatrice had, and he held the office in connection with the city clerkship for nearly five years.

Two years ago the law required that the two offices be separated, and for a year Wagner continued to act as water commissioner, resigning the clerkship, notwithstanding that Mayor Kretzinger refused to sign warrants in payment of his salary, requesting his resignation, which he refused. Another election occurred two years ago, and the appointment by the new mayor of a man to succeed Wagner was promptly confirmed by the council. V agner still refused to give possession, and mandainus proceedings were instituted before possession could be gained.

The books and accounts were soon found to be in a muddled condition and an import-ant ledger could not be found nor would any explanation be given regarding its where abouts. Numerous water consumers produced receipts for rents that were not cred ited on the books and the new head of the water department from that time until the present has been compelled to balance his books from receipts and the word of reputable citizens, that certain amounts had been paid. Wagner frequently called for the pay-ment of his salary, amounting to about \$1,000, the city refusing to pay until a settlement was made by Wagner. Several suits were threatened, out the missing ledger rendered

a basis for a suit impossible. White in the office Wagner had a brother, Frank A., who acted as clerk. About one week ago young Wagner's house was de-stroyed by fire and the long lost ledger was rescued with its cover only partly burned and was thrown carelessly into a pile of rubbish by the firemen where it was today fished out by Policeman Hall, who was working on the case. The firemen book was taken to the mayor's office, where after a brief glance at its pages it was sealed and placed in a safety deposit vault. On the first rage of the ledger a credit of \$100 was found that was among the disputed claims. How many other like cases were brought to

light the officials refused to say. Young Wagner is still living here, but his brother, the ex-water commissioner, is said to be in the east. Wagner and his friends justified the retention of the ledger by claiming it as a voucher for money withheld to balance the amount of salary due. An invest igation will now be made and the whole matbrought to light. The finding of the book has created a big local sensation.

WANTS \$20,000 DAMAGES.

Crowell Citizen Demands Satisfaction for False Imprisonment.

FURMONT Neb. Dec. 23-Special to TUR BEE |-The trial of the case of Herman Diers against James P. Mallon was begun in the district court today. This trial is the outgrowth of the Pulsifer murder at Crowell in December, 1889, and the plaintiff asks judgment for damages to the amount of \$20,000 against Mallon, who was then sheriff, for

false imprisonment. Shepherd and Furst had been ar rested and lodged in the county jail for the murder of Carl T. Pulsifer, Shepherd con-cocted and communicated to Mallon a story to the effect that Herman Diers of Crowell had been instrumental in causing Pulsifer's death; that Diers had hired him (Snepherd)

where covers were laid for thirty After an elegant repast a very guests. pleasant time was spont in stories and rem-iniscences of the bar by such jurists as Hon. T. O. C. Harrison of Grand Island, Hon. Thomas Darrell of Lincoin, Hon. A. M. Roo-bins, V. H. Stone, and E. J. Clements of Ord and others Judge Coffin has given general satisfaction white presiding over the district court here. He will again take up the practice of iaw at

ONLY AN INDIAN MUMMY.

But it Caused a Sensation Among Beaver City Officials. BEAVER CITY, Neb., Dec. 23.- Special to THE MER. -Several days ago a long box came by express from Guide Rock, addressed

to J. W. Whittenberg, a resident of Risamoad precinct, this county. The box re mained uncalled for at the depot. Yesterday, the agent, F. C. Alley, became suspicious that all avas not as it should be, and his doubts were deepened into conviction by a strong stench which the box emitted. He accordingly made investigations and through a small aperture he discovered the ghastly fingers of a man, the flesh of which had fallen from the hands.

He at once telegraphed to headquarters for instructions, and received word to turn the cadaver over to the authorities. Sheriff Hewitt, County Attorney McClure, and Coroner Green were notified, and preparations for an inquest were commenced. I'ne officials propared the necessary documents, and proceeded to the depot. Tools were brought, the boards were torn

away, and wrapped in hay was the ghastly away, and wrapped in hay was the ghastly and nake! remains-not of the victim of some dastardly assassin, but of the rigid form of an Indian mummy. It was part of a show.can's outfit.

Grand Island Fire Bugs.

GRAND ISLAND, Neb., Dec. 23, -|Special Telegram to THE BEE. |-Another attempt was made tast night to burn the store building occupied by James Fonner as a meat market. The fire was discovered at about 1 o'clock this morning and was promptly extinguished by the fire department. The fire was started in the rear of the upper story of the building, the wood work of which had been soaked with oil. The building is located on one of the principal business streets. No clue to the fire bugs has yet been discovered.

Important Hastings Litigation.

HASTINGS, Neb., Dec. 23.- Special Telegram to Tun Ban. |- The first of the cele brated Einspahr cases was settled today. Mrs. Einspahr suos the estate of A. Yeazel for converting her property under an atachment. An attachment was made by Yeazel on property supposed to belong to Herman Einspahr but which Mrs. Einspahr laimed was hers. The jury awarded \$6,000 damages.

Double Wedding at Table Rock. TABLE ROCK, Neb., Doc. 23.-(Special to THE BEE, |-A double weading occurred here vesterday morning at the home of Mr. and Mrs. Conklin. Their son, W. A. Conklin, was inarried to Miss Lule Sinn, and their

daughter, Miss Ruby, was married to the editor of the Argus. They left for a wedding trip on the noon train. Nebraska Sheriffs Will Meet.

GRAND ISLAND, Ngo., Dec. 23.-[Special Telegram to Tug Beg. |-Sheriff Costello of this city, secretary of the Sheriff's State association, has issued a call to the sheriffs of the state to meet in convention at Lincoln, December 20, on important business. All sheriffs-clect are also requested to be present.

Liquor Suits Dismissed.

ELEFORN, Neb., Dec. 23,-(Special to The BEE.] -The postponed cases against the liquor dealers, charged with selling liquor on Sunday, were called in Justice Silvis' court this morning. The action was dismissed at the plaintiff's cost.

Damaged by Lightning.

LYONS, Neb., Dec. 23 .- [Special to THE BEE.]-During the thunder storm yesterday the dwelling of Charley Shumway was struck by lightning and the roof badly damaged.

Horse and Bu :gy Stolen. GENEVA, Neb., Dec. 23.-|Special Tele

UNDER A CAR OF LUMBER. took place in the dining room of the Hotel Burlington Switchman Dangerously Injured in a Peculiar Manner.

NO DEPUTIES MUST BE DISMISSED.

Chief Blanchard of the State Grain Inspection Service Given Very Positive Instructions by the Board.

LINCOLN, Neb., Die. 23.- (Special Telegram to The Bes. - Joe Guildy, a switchman in the Burlington yards, met with an

accident at noon today that may result in his death. His train was in the act of switching a car load of lumber. He was standing on the car, and the stakes in some way gave way, precipitating Guildy and half the load of lumber to the ground, the boards falling over and completely burying him. Help was at once procured, and he was extracted. The patrol wagon with officer Listen went down nd removed the injured man to his home,

street. His wife was not at home, she having gone o the school house to attend the exercises here. The door was broken in, the man put ued and a physician sent for. It is prob-blo that he will die of his injuries. One leg broken, his neck and chest badly bruised.

s face hurt and internal injuries are also cared. The State Board of Transportation held a in regard to a dispute which has arisen between Mr. Blanchard, chief of the grain inspection department at Omaha, and some of his deputies. Several weeks since Blanchard transferred Deputy Inspector Anderson from the Omaha department to

Lincoln. Under the peculiar construction of he law the department at Lincoln is entirely independent of the one at Omaha and loes not recognize Mr. Blanchard's author-Mr. Blanchard is of course cognizant of this state of affairs, and consequently his "transfer" of Anderson from one department to another amounted to a polite dismissa'. At the meeting of the board today Blanch ard was ordered to again place Anderson's name on the pay roll, and the expense ac-counts for November, which did not contain Anderson's salary, were returned for revi-

uture Bianchard should not discharge transfer any of the deputies in his departent unless authorized by the official action of the board. The feeting in the matter of the grain in spection departments is rapidly becoming aggravated and some sensational develop-

ents are alleged to be imminent. Sherman Churchill of Bennett was arrested yesterday for stealing an overcoat belonging to Minor Wood. The theft oc-curred one week ago today and the coat was taken from the back porch at Dr. Dayton's residence, where Wood was working. Churchili Sent for his father, who said he had given the boy the coat, having pur-chased it from one Robertson in Bennett. The city marshal of that place was tele-graphed and he and a constable came up today with Robertson in charge. The latter says he had purchased it from a stranger for \$1.50. No one would swear out a warrant

for Robertson and he was allowed to depart. The court, becoming convinced that it was mpossible for the Bossleman jury to agree, discharged them last night. They had a seventy-two hour siege. One man, who re-fused to sacrifice his opinion of the prisoner's guilt, held the other eleven. Bossieman was released ou \$300 bail to appear at the next erm.

The Burlington has expressed its willing ness and readiness to go ahead with the C street viaduct, and word from the Union Pacific and the Rock Island is anxiously awaited. It is understood that the latter object to paying their proportion of the cost of that vinduct on the ground that they have no tracks there but the Union Pacific will try to hold them for their share under their joint

contract. Randolph M. Valch filed a petition in the district court this morning against his wife, Cynthia, praying for a divarce from her. In his petition the plaintiff set forth that he was. married to the defendant on October 25, 1874, at Auburn, Caynes county, N. Y., and ever

Drs. Allor, Fitch and Frank H. Ingram, experts, testified that they had examined Envaria M. Affection to the second to a second most positively that he was insane. The case was then submitted and the jury retired. Affectience out ten minutes they retarned with a verdicustating that Edward

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M. Fleid was; miumatic and not responsible for his actions. The vertict was unanimous. The jury remaisted of twenty-four men,

who listened with marked attention to the evidence prosented, and returned their verdict without hearing argument. It is proper to say that while only a part of the evidence available was presented the case was regarded by all concerned as conclusive. The jury also found Mr. Field's personal property to be worth \$20,000.

HE OWNED J. L. C.

Some of the Achievements of the

Dead Millionaire Horse Breeder. Mr. J. I. Caso, whose death was apnounced yesterday, was even better known as an owner and lover of trotting horses than as a manufacturer or millionaire, since at one time he owned the champion trotting stallion in Phallas, 2:13%, and the fastest rotter in the world in Jay-Eye-See, 2:10, a ittle black gelding that he purchased in Kentucky a good many years ago for \$500, before the colt was broken, and that subse-quently developed so much speed that as a year-old he trotted in 2:19, which was at that time the fastest mile by a trotter of that age, and subsequently heid the world's troting record by a mile in 2:10 at Providence, it being only a few days later that Maud S. ame out at Cleveland and lowered Jav-Eve-See's mark.

Phallas has been succeeded as the champion troiting stallion by half a dozen other horses since he made his record of 2.13_{44}^{-1} about ten years ago, but in their day these horses were the turf sensations and caused Mr. Case's name to be published everywhere on account of his ownership of the animals. Mr. Case was a practical horseman, and from his boyhood had been interested in trotting and driving on the road, being himself an expert reinsman. He established what is now known as the Hickory Grove stock farm, a couple of miles south of Rache, a good many years ago, and the first famous herse o be taken there was the black stallion, lovernor Sprague, for whom Mr. Case paid \$.7.500 after he had seen the horse trot half the pope's illness. mile as a 5-year-old in 1:09, which was phenomenal rate of speed for a horse of that age in these days. Governor Sprague made a record of 2:20% the same season, thereby crowning himself the ion. The board further ordered that in the astest 5-year-old stallion that had appeared up to that time, and Mr. Case was naturally very proud of the black horse's perform-ances, as in addition to being a fast level-headed trotter Governor Sprague was also a perfect pet in the stable. His progeny have

n nearly every instance turned out to be fast trotters. Of late years Mr. Case has turned the man-agement of his farm over to his only son,

Jackson I. Case, a young man of 27, who has recently managed to get nimself elected mayor of Racine, and who, in addition to posdirections, is also very fond of horses. Last summer he championed a string of trotters. oing his own driving and doing it well. It s pure love of the sport that keeps young Case on the trotting turf, as his father's wealth of cours made it unnecessary for him o go into the business from any other point

Tugging at Lincoln.

LINCOLN, Ngb.; Dec. 23.-[Special Telegram to THE BEE. |-The second tug of war contest at the Lansing opera house this evening was even more exciting than the first.

All the contests were close, each of the four being a tre. The police outpulled the Swedes two inches and the Americans were victorious over the penitentiary guards by one mch. The Firemen, and Germans tugged at the rope the full allotted time of twenty minutes and then the referee declared a tie. The Irish team and 36, & M. freight handlers pulled seventeen minutes, when the anchorman of the former gave out and the contest was given to the freight handlers. Score up to data:

Won. Lost Teams. 8. 2 1 Americans 1 0 Police..... Teams, W. Freighth'dUrs Won. Lost lermans · 0 Penitentiary

were drowned.

very prominent and substantial man and one of the directors of the Union Pa-cific rairroad, died today of intestinal trouble. He was sontive of Scotland, and has been here since 1850. He constructed the most difficult parts of the Union Pacific collegat thesus Works and Cohe cause IN THE EVENT OF LEO'S DEATH

HIS HOLINESS IN VERY POOR HEALTH.

Plotting in Russia and Starving in Finland-China's Greatest General -Happenings and Events in

college today. Referring to the abor encyclical, he said that he was gratified that that document had produced a marked movement among the working classes to ward the holy see. His object in audressing the French workman's pilgrimage has been to render the encyclical more effective. He has not signed similar addresses to pilgrimages organized in Europe and America. But the visits of workmen have been suddenly stopped by undignified means, already known to the world. They had nothing to fear from the behavior of respectable persons in coming to Rome to pay homage to the pope. Among them were neither anitators nor disturbers of the peace. The word of the pope has always been the word of peace, sweetness and charity. The adversaries of the church strove to defeat its noblest and most beneficent undertakidgs, because they foresaw that those undertakings would heighten tho

glory and influence of the papacy. Never-theless the papacy would persevere in its mission of peace, salvation and redemption, cven to the advantage of its adversaries. The Lancet's Italian correspondent asserts that the pope had a fainting fit, followed by extreme prostration after the last consistory, and that the fact was kept a profound secret, in compliance with orders imposed on the personnel of the valican, in accordance with Pope Leo's secret bull ijoining secrecy in the event of his death, until certain formalities regarding the conclave have been concluded. To those secret orders, it is said, are due official denials of

BURNING OF THE ABYSSINIA.

Story of the Rescued Passengers-Fighting the Fire.

LONDON, Dec. 23 .- It was 4 o'clock this morning when the first of the Abyssinia's people, comprising thirty-four passengers and eighty-eight of the crew, reached Water. loo station by rail from Southampton. The party was conducted by Purser Broadt, and they looked depressed in the dense fog which filled the station. They were met at the rail way station by the agent of the Guion line. who sent the party immediately to Liverpool Previous to their departure, in an inter view with Purser Brendt, he said that the Abyssinia had a fair passage until 1 o'clock p. m. of December 18. At that time he was old the ship was on fire. He tooked and saw Grain Men Have a Proposition for the smoke looming from the hold. Purser Brendt added:

"We got the hose stretched and the en gines started. We worked as hard as we possibly could to get at the fire, but almost immediately the fiames burst through where a success of trading on 'change, and to this end the grain board held a meeting last night we were working and drove us off. At the same time the watch reported that the Spree was standing up in the offing. We signalled at the office of Joseph A. Connor. to her and she bore down to us and sent off boats to our assistance. Before two hours and board not only desires that these two men be a half had elapsed the Abyssinia was a mass re-elected by the directory, butthinks two of flames."

The pursor further said that when the fire the directory. The Board of Trade directors will hold their annual meeting the first of the was first discovered great anxiety prevailed for a time. This was speedily quieted and the passengers and crew afterward behaved admirably. When the order was given to abandon the ship everybody left her as cooliy as though they were going aboard the tender at Liverpool. Mr. Brendt spoke very highly of the treatment accorded the Abyssinia's Waish introduced a resolution to the effect that the board wanted J. A. Connor and Charles H. Fowler re-elected to the direc-tory, and that the grain men believed they people on board the Spree. Captain Williger and officers and crew did everything for their comfort, and treated them in the kindliest manner possible

FATAL DYNAMITE EXPLOSION.

TAKEN UNDER ADVISEMENT. Judge Doane Hears Arguments on the Fur-

the

niture C n'ract Injunction.

MR. SIMERAL'S REASONS FOR ITS ISSUE,

Action of the Council Held to Be Vo d on Two Important Grounds -What the Opposition Presenteda

Arguments in the injunction case restrain ing the city and Mayor Cusning from signing the contract with the Ketcham Forniture company for furnishing the new city hall with furniture, were made yesterday afterioon before Judge Doane.

Attorney Simeral, who appeared for the applicant for the restraining order, maintained that the contract was yold and should not be signed by the mayor for the reason that the pidders were asked to make their own plans and specifications as well as bid on them. He said this opened the door to fraud and corruption, as the council could not intelligently determine who was the lowest bidder when the bidders were bidding on different kinds of work. They should have been furnished plans and specifications by the council, and then let the contractors bid on one thing. Mr. Simeral, in support of his position, read Nebraska and Onio authorities, and in one of ndge Maxwell's decisions in the case of a itizen in Buffalo county against the county contributioners restraining them from letting is contract on account of the contractor having furnished his own plans and specifications for a bridge the court held that the door was open for fraud and corruption.

Mr. Simeral thought that neither the city council nor any other body accept plans and bias at the council me. There was no basis Each bid should be on one plan, same time. go on. therwise there was fraud and that action had been denounced by the courts. No valid contract could be made or awarded.

Ignored the City's Charter.

Another question which invalidated the ontract, Mr. Simeral manutimed, was the fact that the contract was let in September by the acceptance of the bid, although the contract in form had not been made. The acceptance of the bid, he thought, was the making of the contract. The contract was, therefore, made before the bonds had been voted upon in November, and as the bonds had not been issued there was no available fund, as there was no money with which to pay for the furnishing of the city hall.

"I maintain by the provisions of the charter," said Mr. Simeral, "that there must be a fund created before a contract can be entered into, and there can be no fund until bonds are sold or the money put into the trensury for such a fund. Therefore it is not aveilable. As it now stands the city has no fund, as the city has yet to advertise and dispose of the bonds. Now it is a more specula-tion as to when they will be sold.

"At the time the bonds were voted in No ember-and the contract was made before that time - the amount of money in the city treasury was \$357,590.06, and \$367,109.47 had been voted away. This was an overlap of the Board of Trade in order to try and make $$^{3},609,40$. Now, where is there an available fund? When there is none the council is prohibited from incurring a dept. Until the Two grain men are temporarily on the money for the bonds is in the treasury the city cantot make such a contract as this. The new bonds are void on account of the Board of Trade directory, but the grain excess of the amount allowed by law."

On the Ketcham Side.

Mr. Congdon of the firm of Congdon, Clarkson & Hunt, attorneys for the Ketcham Furniture company, which concern had been made party defendant to the injunction suit, held that the company was the lowest and most reasonable bidder; that its bid was \$24,721.50 for furnishing the new city hall; that while Contractor Coots' bid in itself was a few hundred dollars less, be did not agree to furnish the quantity and quality of furniture. Consequently the Ketcham com-pany's bid way the most suitable to the incilmen and more advantageous to the

city The allegations of fraud on the part of the

it was stated that each bidder should fur-nish his own plans and then bid on them. Coots simply bid on furnishing

the hall in general, but gave no detailed figures on movable furniture, or what kind

would have the effect of paralyzing the whole city. On the contrary the bonds could not

be issued until the contract was finished. The bonds were sold from time to time as

Instructions Have Been Received to Keep railroad through Waber and Echo canons, Unantestos, S. C. Det 21-Dr. R. A. Kinloch, the most eminent surgeon in the His D. miss Secret. state, dean of the faculty of the South Caro-lina Medical college of this city, died this

Afternoon Atrooxa, Pa., Dec. 33 .- The Tyrono bank

failure is assuming large proportions, the ilabilities reaching \$50,000 with almost post tive assurance that not I cent will be paid Foreign Countries. on the doltar. This stockholders have either

disappeared or refuse to be seen, and the people of the town are dumbfounded at the state of affairs. There is even talk of lynch-ing Guyes, the cashier, if he is found. One Rows, Bec. 23 .- The pope delivered an address at the annual reception of the sacred suit has already been brought against

stockholders and arrosts are likely to follow. CLOSE CALL FOR HOTEL QUESTS.

Hotel at Malvern, Ia , Burns, but all the inmates Escape.

Failure in Pennsylvinia.

MALVERN, In., Dec. 23.- [Special Telegram to THE BEE. |- The Foster house, one of the leading hotels in the town, was totally destroyed by fire this morning. The fire was discovered about 3 o'clock and the origin was locates in or near the baggage room, under the stairs, adjoining the office. It is supposed to have been started by matches ignited by mice. Very little of the contents were sayed. A number of narrow escapes are reported among the help and guests. There were about twenty-live guests, including a num-ber of traveling men, all of whom lost their baggage and sumples. George Fourks of the firm of Foulks Bros. & Co. escaped from the window by means of a ladder, in his night clothes. Several others escaped the same way. One man jumped from the second story window fortunately without injury

A system of water works is being put in by the town, but is only just began, so that there were no facilities for fighting the fire. The total loss is about \$5,000, covered by \$2,500 insurance on the outiding and \$1,000 on the furniture. The building will andoabt

the furniture. The building will andoabt-odly be replaced by a brick. New York, Dec. 23.—John Chanolett & Sons', scale factory burned this morning. Loss, \$115,000; fully insured, SACHAMENTO, Cal., Dec. 22.—Early this morning Baker & Hamilton's agricultural morning Baker & Hamilton's agricultural

warehoure, containing a valuable stock, was entirely burned. The contents of the ware-house were wakens, buggies and agricul-

tural implements and about 1,000,000 gun cartridges and forty pounds of powder, wh exploded. Total loss about \$85,000, fully insured. LONDON, Dec. 23 .- The establishment in the Ottenham court road of the increantile firm of James Shoetbred & Co. was burned last night. Some adjoining premises were also burned. The burned place of business

was only one of the several in London which the firm owns. TRENTON, N. J., Dec. 23. - Early this morning Cook & Hancock's Oresent pottery

burned. Loss, \$100,000; fully insured, WANT MORE SHOW.

Board of Trade.

additional grain dealers should be placed on

cear, and there are directors whose terms or

pire, and the grain board wants to fill the va-

Mr. Connor was made chairman of the

mooting and Fred Schwartz acted as secre-

were entitled to two additional members on

Grain men want a larger representation in

to get Pulsifer out of the way, etc. This statement was made to Mallon on the second day after Shepherd's arrest, which was Saturday. On Sunda Mallon went to Crowell, arrested Diers and brought him to Fremont. He was lodged in the upper room of the residence portion of the jall, apart from the criminal quarters, and a guard placed over him. Here Diers remained until Thursday morning, December 19, when he was taken before County Judge Barge for preliminary examinatio

The examination was continued from about 9:30 a. m. Thursday to about 4 o'clock p. m. Friday, during which time John Pul-siter, Dr. Devries, Dave Long, Charles Snepherd and Sheriff Mallon were examined for the state. At the conclusion of the lat ter's testimony County Attorney Loomis arose and said that he did not consider the testimony of Shepherd and the statements which he had made and upon which Diers was arrested as reliable, and asked that the prisoner be released, which was done. Diers then promised to make somebody pay for his arrost, and the case now on will determine it. Seven jurors out of the regular panel of twenty-four have been retained and the case is being tried before them. Diers has also begun action against Frank Pulsifer, brother of the murdered man, for a like amount.

STABBED HER HUSBAND.

Lincoln Colored Man Probably Fatally (ut by His Wife.

LINCOLN, Neb., Dec. 23.--|Special Telegram to THE BEE, | -A colored woman was arrested at 1 o'clock this morning charged with stabbing her husband, Seth Bolen, a barber employed on North Fourteenth street. Both had been drinking all the evening and had a quarrel in Lindsoy's restaurant over a dollar which the woman had given her husband to procure an apartment for the night. After leaving the restaurant they engaged a back, but before entering it the woman wanted the dollar back. A scuffle ensued, in which Bolen was stabbed with a pocket knife. The blade entered his neck just above the left shoulder blade, inflicting an injury which may result in death. The women was ar-rested and the knife found in her dress pocket. This morning Bolen in resting easy but his physicians have little hope of his recovery.

Boten is the same man that was tried for murder under such sensational circumstances a year or so ago at Beatrice. He and a white man named Carson were arrested for the murder of a fruit tree peddler at a colored dance. Excitement ran high and the sheriff was compelled to call out the state militia to prevent a mob of several thousand indignant citizens from lynching the men. He was acquitted at the trial. His phylcians in formed him tonight that he could not possibly get well. He made a statement in which he declared that the woman stabbed him. She also made a statement today which may implicate two white men in the affair. She was not his wife. They have been living together until recently. Lately she has been an inmate of a questionable resort in this city.

Against the Bank

HASTINGS, Neb., Dec. 23.-(Special Telegram to THE BEE. | - The jury in the case of Hartigan against Bostwick, after being out twenty-six hours, returned a verdict today for the plaintiff in the sum of \$5,875. Mr. Hartigan purchased ten shares of stock in the defunct City National bank. The value vas influenced by fraudulent and untrue statements as to the condition of the bank. The planniff moved for a new trial. This is the first of eight or ten cases against the ban k.

Shot His Playmate.

HASTINGS, Neb., Dec. 23 .- |Special Tele gram to THE BEE.]-Joe Dieken, the 12-yearold boy who was accidentally shot through the head last night by a playmate, is in a precarlous condition, and it is doubtful if he will live the night through.

H nor 14 a Retiring Judge. Oun, Neb., Dec. 23 .- Special to Tau Bas. |---Hon, Edward M. Coffin of Ord, on the occusion of his retirement from the banch, was tendered a banquet by the memb sof the Valley county bar. The meeting | tiffs may be reimbursen for the same.

gram to THE BRE. |-A horse and buggy beonging to I. S. Dorris, a farmer living near this city, was stolen last night.

GRAVES MURDER TRIAL.

Witnesses for the Defense Give in The r Testimony.

DENVER, Colo., Dec. 23 .- In the Barnaby trial the defense opened its case this morning by placing Edward Field on the stand. Mr. Field is judge of the probate court at Providence, R. L. He said that in May last two wills made by Mrs. Barnaby were ofstreets. fered for probate. The second will was handed him by Dr. Graves. It was in a sealed envelope and showed no evidence of having been opened. He received it in Dr. Graves' office, and opened it and read it at the doctor's request.

Cross-examined by Mr. Pence, he said Mr. Van Siych, who gave him the Chester will, was the custodian of Mrs. Barnaby's prop-Colonel Daniel Ballou, of counsel for the

defense, was the next witness. He met Dr. Graves about thirty-five years ago at a Connecticut school. About a year ago the doctor consulted him about some little matters, but since then he has done no logal business fo him util this triat. He became acquainted with Mrs. Barnaby in October, 1889. He was summoned to the office of Dr. Graves to ce a woman who wanted his advice. The voman was Mrs. Barnaby, who finally em ployed Colonel Ballou to contest her hus-band's will. The will had been probated and Connol Sallou had filed an appeal, when a compromise was effected. By the compro-mise Mrs. Barnaby was to receive \$105,000. Out of this amount Colonel Ballou received \$10,000 as his fees. Colonel Ballou told about drawing up Mrs. Barnaby's will. He thought the amount therein bequeathed to Dr. Graves was \$25,000. The witness admitted he had received a letter from Mrs Barnaby, complaining that Dr. Grav about to appoint a guardian for her. Graves was Colone Ballou did not think he had a right to infer-fere in the matter, as the doctor was Mrs. Barnaby's agent. In the cross-examination colonel Ballou said that ne had paid Dr traves \$500 for recommending him to Mrs Baraaby in the contested will case.

Two experts in handwriting swore that although the inscription on the whisky bottle was similar in writing to lotters written by Dr. Graves, they did not think that oth writings were by the same person. In cross-examination, howover both of the ex-perts admitted that many letters in the in cription on the bottle and those in Dr Traves' letters were the same. Dr. Giover and J. A. Bennett, veterinary surgeons, were called to prove that arsenite f potassium was sometimes kept in livery taoles. The point desired to be made by his testimony was to show that as th

buttle of whisky had remained in the buggy in a stable over night before being denvered to Mrs. Barnaby, that some of the hostlers might have drunk the original contents of the bottle and in order to escape detection refilled it from the neares bottle at hand. In this way they might have stumbled upon a bottle of arsenite of potassium and have emptied it into the criginal whisky bottle, thus explaining the presence of the poison in that bottle. Upon heir cross examination it was developed hat they could not name any positive intance in which they had seen arsenit

f potassium in a livery stanle. The court then adjourned until tomorrow when Dr. Graves will go upon the stand in his own behalf.

Asks for an lejunction

DENVER, Colo., Dec. 23.-In the United states district court here vesterday the firm of Chisbolm, Boyd & White of Chicago, brough their attorney, Taylor E. Bram of that city, flied a suit against the Colorado Fire Clay Manufacturing company of Pueblo, Colo., alleging that the defendants have in fringed upon their patents of the brick press known as the Boyd orick press machine. The plaintiffs as the court to enjoin the Colorado Fire Clay company from further using the fire Clay company nachines, and also that the defendants he made to render an account of the profits which may have accrued to them by the use of these machines, in order that the plain-

conducted himself toward her since he had as a faithful husband, but that the defendant, disregarding her marital obligations, on March 20, 1889, wilfully deserted him. In police court this afternoon L. C. Kent

was given \$50 and costs for exposing his per-son. It was shown in court that he is an old sinner at the business. The act was com-mitted no less than four times last Saturday. Reasonable evidence was shown that he is

e man who has made a practice of it for th ast year in Lincoln. Judge Cochran read he riot act to him when assessing the fine. He told him that he knew of no brutal act which so thoroughly degraded a man in his yes as this of insuiting women in the Dr. C. L. Snyder left today for Freeport III., to spend the holidays. On January 2 he sails from San Francisco for Hong Kong,

where he has been called to assist an Ameri-can dental firm. Dr. Snyder is a graduate of the University of Pennsylvania dental de and received the appointment through his alma mater.

DEALT HEAVILY IN LAND.

But it Was in the Middle of the Missouri River. BROKEN BOW, Neb., Dec. 23 .- [Special to THE BEE.]-The acrest of Robert Stephenson at York yesterday is the culmination of a bold plot to rob farmers of this vicinity by the wholesale. The case for which Stephen sen is now held grows out of a horse deal on a big scale, in which notes and mortgages were the circulating medium, and J. D. Haskell the victim. E. Vandeven-ter of Mound Ulty, Kan., who was formerly a resident of York county, and well known to many of the old settlers of this county, accompanied by a friend, Robert E. Stevens of Mound City, went to Haskell's ranch at Milldale with a view to buying a herd of horses. They succeeded in driving a trade with Haskeil by handing over to him notes held by Stephenson to the amount of \$2,000, secured by a mort-gage on 200 acres of land, represented to be

Missouri Valley, Mo. Stephenson received nerefor forty-two head of horses in exchange Later Haskell became alarmed by the manter in which the horses were being disposed

of and wired to Missouri Valley to ascertain e quality of the land for which the gage had been given. He was informed that the land in question had long since been swept away by the current of the river. Of-ficers were informed of the deal and the ar-

rest followed. The other man escaped, EDWARD M. FIELD IS INSANE.

Such is the Verdict of a White Plains, N. Y., Jury.

WHITE PLAINS, N. Y., Dec. 23 .- The in miry into the sanity of Edward M. Field began this morning before Judge Robertson and a crowded court room. A jury was secured after a slight delay and then counsel for Mr. Field read the affidavits of several physicians stating that it would be extremely dangerous to remove Field from Ludiow street juii to White Plains. Judge Robertson thereupon excused Field from being present. The taking of testimony was then commenced. D. Ogden Bradley, president of the Tarry-

own National bank, testified that Edward M. Field had done business with his bank Al. Field that done business with its bars for years. During the past two years wit-ness had noticed Field's peculiar actions, and had refused to loan him any more money unless his father. Cyrus W. Field, would go a security. Dr. Lindley, the brother-in-law of Edward

M. Field, testified that young Mr. Field was Mrs. Edward M. Field, wife of the man chose sanity is in question, testified that her usband had been acting strangely for some time past. Formerly he was affectionate, but during the past year he had become morose and ill-natured. Her husband frequenty spoke to her during the summer of some grand financial scheme and tried to tell her of it, but it would suddenly vanish from his mind, hie began to talk inco-herently and stared vacantly at friends whom he chanced to meet. He has always considered his sense of honor paramount to all else. He had rese tiy spoken to hor of inancial transactions he had m. d., but when Going at Guttenberg.

GUTTENBERG, N. J., Dec. 23.-The track was in very bad condition today.

First race, six furiongs: Sir George won, dillan second, Jule & third. Time: 1:175. Second race, Eve furion s: Magle won, Morgan G second, Rosa G colt third. Time: 05. Third race, six furiongs: Cilmax won, Catlin second, Gettysburg third. Time: 1:25. Fourth race, six furlongs: Paragon won, Manhausett second, Gambler third. Time:

17%. Fifth race, six furlongs: Rancreas won. agabond second, St. Paneras third. Time:

Sixth race, one mile: Smuggler won, Cyno-aure second, Bohemian third. Time: 1:47%. Boxing at Geneva.

GENEVA, Nob., Dec. 23.-|Special Telegram to THE BEE.]-A poxing match occurred here last night between Ed Nettals of Ohiowa, colored champion of the county, and Tom McCloud of Tobias, with six-ounce, gloves, Queensberry rules. The boat was settled in three rounds, being given to Mc-Cloud on a foul. He was outsparred in every point by the colored man. A large crowd of sports were here from Toblas and Oblowa to see that their men had fair play.

At the Coliseum Tomorrow Night. Manager Jack Prince has prepared a good card for the Cohseum Christmas night. First on the program will be the first bout of a series of three between an African and Italian tug of war teams, which is to be folowed by a ten-mile bicycle race, four entries, nd a five-mile roller skating race. The tug f war is to be two out of three pulls, and as the darkeys and Italians both have strong eams a good deal of sport may be expected. Good music will be in attendance.

Fykeistoming.

Senator Morgan received the following elegram yesterday from Harry Cornish of he Boston Athletic association :

The Boston Atmetic association: Boston Atmetic association: Omaha: The European champion bleyclists, O'Flannagan, Lumsden, Wood, Launb, Howell and Edilla, left bere for Chicago and Omaha yesterday. Ashinger and Alberts follow Mon-day night. Wood won the Worcester raco, Lumsden second, Ashinger third. The latter and Lumsden lost one lap by falling, Eck has charge of the party. Constant. The lat. charge of the party, CORNISH

Tips for Today. There is reason to consider these horses likely to win today at Guttenberg:

1. Stratagem—Cohiet. 2. Milt Young—V&szie. 3. Flattery—Matkery 4. Tloga—Rathery 5. Casselta—Hunafrum. 6. Repeater—Splating.

AEUSOF TESTERDAY.

Domestic. Walt Whitman continues to grow weaker. Secretary of War Elkins is in Washington. Bone Bros., dcy bbb is dealers of Galusville ex., fulled for \$8,000; assets, \$18,00.

Tex., failed for SERGOD issues, S.S.,00. B. Blankenshiphas been appointed receiver of the business of E. Bouman of Dallas, Tex., at the request of creditors. Milwaukee's committee is hard at work, and will spare no pains to capture the demo-cratic national convention. New York constens officers have made a seizure of a number of valuable paintings which had been Shinggled into the country. Collector Sauddi

Collector Samuel Warmenstie of the fwenty-third district Pennsylvania, internal avenue service. has been removed from flice by the president.

office by the president. An unknown assessin fired upon W. M. Lovell of Bolton, Ky. through an open door, and killed him. Thirty-four backshot pene-trated the body. No clue to the murderer. The condition of Cyras W. Field is consid-ered more hopeful than it has been for some time. He is able to sit up and take a little nouristiment. His family now have no fears of immediate danger.

of immediate danger. Forei 20. The French chamber of deputies has fixed he tariff on petroleum at 12 francs.

The new commercial treaties have passed he third reading in the lower house of the

Mungarian diet. Mr. Balfour and W. T. Jackson will visit reland for the purpose of investigating the ishery industry.

The Requiring chamber has been dis-solved. The elections for new members will be hold on February 24. DeWitt's Little Early Risors; best little

illsfor lyapapar a, sour stomach, bad breath (Sharp, one of the eldest residents here, a

Two Men Killed by the Deadly Stuff at Antwerp.

the board of directors.

Rigge was notified.

ANTWERP, Dec. 23.-The city was startled this morning by a tremendous explosion of dynamite that shook the earth. A cargo of dynamite being lightered had exploded, blowing 'up the lighter and sinking a barge Two men employed on the vessels were willed or blown into the water, where they

Plotting in Russia,

LONDON, Dec. 23 .- The St. Petersburg correspondent of the Times says: "Numerous arrests have been made of workmen in mills and factories in the suburbs of this city on the charge of being concerned in an alleged nihilist plot. Plans of the czar's palace were found in the possession of mary prisoners. Gossip says that a professor's wife has been arrested on the same charge," The Standard's correspondent at Warsaw save that further arrests of alleged mullists have been made there. It has transpired that 12,000 persons are

starving in the north of Finland, which country has hitherto been supposed to be yesterday afternoon and sent her to polico headquarters for detention while Father free from famine.

Sixty Were Killed.

LISBON, Dec. 23.-Advices have been re-LOCAL BREVITIES. ceived from south Africa to the effect that while the Cortinhos expedition was enroute The oil painting entitled "Glee," presented by Mrs. Seavey to the Police Relief Fund association, will be rafiled off this afternoon from Quillimane to Maghamba, an explosion of gunpowder occurred by which sixty per sons were killed and 170 wounded. at 4 o'clock.

SHORT IN HIS ACCOUNTS.

Tidval of Minden, dealer in dry goods. The store was closed on chattel, mortgages ag-Michigan's ex-Secretary Makes gregating \$2,400. Deposit to Cover a Shortage. Harry Stacks is behind the bars at police LANSING, Mich., Dec. 23.-Hon. Robert B. headquarters on a complaint which charges him with petit, farceny. It is claimed that Starks went into a chop house at 730 North Black of Manistee was tendered and ac-

cepted the office of secretary of state made vacant by the resignation of Mr. Soper today. plates, knives, etc. Mr. Soper deposited with the state treasurer the sum of \$25, accompanied with a letter. there was no meeting of the Nebraska Humane society, which had been called to meet in the Paxton cafe parlors. Another saying in substance that he had discovered by memorandum in his possession that he held certain moneys belonging to the state, call for a mosting will be sent out directly and that he had applied to the office of the secretary of state for information as to the after the holidays. Coroner Harrigan held an inquest yester-ony morning at Heafay's over the remains of Alonzo Wilkins, the Union Pacific brake-man, killed at Valley. The jury returned a verdict of accidental killing, exonerating Wilhies' follow temporary exact amount, but it was refused: that his auccess had been no greater in an application to the investigating committee, but he was of the opinion that the amount did not ex-ceed that deposited, and that he stood ready Wilkins' fellow trainmen. to pay into the treasury whatever sum might Jave Tip-O-Tip Victoria Flosse Zuin Dinbe found due from him. It is believed this will relieve him of the liability of criminal gan Omishn, son of King Cetowa Totowa, will lecture today at the Commercial college, prosecution provided the report of the in-

Output for the Year-Comparison

NEW YORK, Dec. 23.-The Railroad Gazette, in its issue of December 25, will say: From the returns of locomotive building by the private shops, that is, all other than rail-road shops, that is, all other than rail-date, the output is less than it was last year. We can compare the product of but thirteen works in the two years, but these include all of the large works. These show 2151 locomotives built in 190, against 2239 in 1889, a falling off of a little less than 4 per cent. This is better than we had anticipated from the current re-ports, which have cenerally been that work in the shops was slack. The fact seems to be that within the last two or three years the ca-pacity of the private shops has increased so greatly that what is now unit a very moderate business for them would have kept them run-ning at hit and day a short time are. All but three of the shops from which we have com-parative figures fell off this year, and there were special reisons why these three should have increased their output. The total out-built of fiteen works this year-two of which did not report last year- \$2.90. ette, in its issue of December 25, will say :

The Feath Roll.

MUSCATINE, IA., Dec. 23.-R. M. Burnett, a prominent citizen of this place, dropped dead of heart disease this morning, aged 70 years. LEXINGTON, Ky., Dec. 23. - Colonel R. S. Stracer, one of the best shown horsemen in America, died here yesterday of pneur Elector, Md., Dec. 23.-John A. J. J. Cres , ex-postmaster general died this morning

SALT LARF, U. T., Dec. 23 -Bishop John LAND OF YOURS MAY DO DO THE SHOW OF

Then S. A. McWhorter and James Walsh were named for the places. The resolution will be sent to the Board of Trade to be preplaintiff were denied, of course, by the company. If there were any question of fraud or undue influence Mr. Congdon said it would be met. In the mivertisement for proposals sented at its next meeting.

EOUND TO BE BAD.

Little Gertie Kelly Wouldn't Be Good for Any Price. Little Gertie Kelly, the depraved girl who

of farniture he would supply the city with. The city council had the right to choose what kind of furniture it wanted. It was was sentenced to the reform school by Judge Estelle a day or so ago is in trouble again. discretionary with that body, and after seeing Father Rigge of Creighton college inthe plans and looking over the prices, they decided that the Ketcham people's bid was crested himself in the girl's behalf and the most advantageous. As to there being no available fands in the city treasury, Mr. Cougdon said that if the Ketcham con-teact was void on that ground, all the arranged with the court for a remittance of the sentence on condition that the child be sent to the Home of the Good Shepherd in

Chicago. Arrangements were made and a man emcity hall contracts were yold. Such a thing oyed by Father Rigge to take Gertie to the home. Upon the pretext of wanting to get some clothing from the shadk on the river front where she had been living with four men Gertie Induced her keeper to go there with ner. Once in her old haunts, the the money was required. He also held that the contract was not awarded until after the girl gave her guardian the slip and could not bonds had been voted, and therefore the Officer Burns found the child in hiding available fund was created.

Dun's agency reports the failure of Oscar

On account of no quorum being present,

A. R. Todu of Des Moines, Ia., caused the arrest last night of W J. Margrave and James Carrier on the charge of perjury and removing mortgaged property from the state. According to Todu's tale the prisoners pur-

Where the City Comes In.

City Attorney Poppleton agreed with him on the availability of the fund now, but he was somewhat undecided as to the question of whether or not there was an available fund when the contract was lot. He know there was no fund when the bid of the com-pany was accepted, but after the election when the bonds were voted they were issued. He said the mayor regarded the contract as a good one, but before approving it he wanted it judically determined. He thought Mr. Simeral's construction of the charter in oference to the availability of the fund you'd wreck the city government.

Mr. Simoral still maintained that when the bid was accepted the contract was made, and that was before the bonds were voted. Judge Doane took the case under advise-Sixteenth streetlast night and stele some

ment and will decide it Saturday.

CAUGHT FOUR TABLES.

Result of the Latest Raid Made on the Gamblers.

"A straight tip" must have been given to the managers of the gambling rooms on Douglas street last night, for when the police called to raid the Diamond about 9 o'clock not a sign of gambling utensils nor gamblers could be found.

A thorough seamen was made by the officers, but nothing compromising turned up. A few chairs were raoged against the wall over the Boston store, on the habits and cua-toms of the people of Africa. Jave Tip-O-Tip etc., is but 19 years old and hus been in this and au old table stood in the rear of the room. This was conliscated and loaded into country six years. He will also sing a num-ber of African songs. Admission will be

The posse then visited Foloy's, over Hornberger's, Billy Hawley's and the rooms over the Turf saloon. In each place the officers found everything as quiet as the GERVC.

It is understood that Chief Seavey awore out the search warrants and directed affairs from headquarters, while his sorgeants made the round-up. Not a single prisoner was captured and all

4-

chased household gooks on time and swore that they would not move them. Later the plunder, valued at \$150, was shipped west and followed by the pair. Todd traced them the police have to show for their night's work is four old dusty tables, taken from and the arrest was made shortly afterward. deferent places.



vestigating committee should show him in default.

LOCOMOTIVE BUILDING.

With Last Year's Output,