against Kearney from California points and against the Union Pacific and B. & M. on the same charge from the Missouri river. The other case is brought by a populist of Cali-fornia against the Union Pacific and the Southern Pacific, alleging discrimination in favor of republicans and democrats and the refusal of the roads mentioned to give like rates to the populats, delegates to the na-tional populist convention held in Omaha in July of last year. It is understood that Judge Martin, general solicitor, and Third Vice President Stubbs of the Southern Pacific will be here to defend in these cases.

What Gustin Wants.

The case of A.J. Gustin against the Chirange, Burlington & Quincy Railtoad com-pany, the B. & M. Railroad company and the Union Pacific company is set for hear-ing today, and was filed against the roads mentioned December 16, 1850.

The petition represents that the complain-ant is a resident eitizen of the city of Kearney this state and is a traveling salesman by occupation; and goes on

bey this scatter and goes on: That the defendants above named are com-mon carriers and under a common control, management or arrangement for continuous carriage or shipment, are engaged in the transportation of passengers and property wholly by railroad, be tween various points outside of the state of Nebraska and the city of Kearney, and practically between the city of Chicago and Acarney. The complainant avers that the defendants have in force and effect a pariff rate for freights between said interstate points that is an just, unreasonable and life;al, and by way of Disstration, the complainant shows only the present tariff rates between the tage and kearney, although the freight rates from other interstate points are also de-clared to be unjust, unreasonable and life;al; that prior to the 1st day of August, 1820, the that prior to the 1st day of August, 1800, the through rates on freight from Chicago to Kearney were as follows: CLASSES.

The rate being in the rate per 100 younds. The complainant also says that in fact these rates were excessively high, millist, unreason-able and illegal. Notwithstanding that fact, owever, on Angust 1, 1850, the defendents raised the said freight rates between said points as follows: CLASSES.

24

The rate being area in conte per 166 pounds. That the complainant is informed and be-lieves that the through rate of \$1.30 on first-class freight now charged as aforesaid is di-vided as follows: From Chicago to Omalia, a distance of about 500 miles, 70 cents, and from Onaiha to kearney, a distance of 190 miles, 00 cents: the divisions as to other classes being in about that proportion. That a rea-sonable rate is very much less than that sum, as will be seen from the computation based upon the milesge and the rate which prevailed prior to the improper raising of the rates in August, the rate on first-class freight then being hur 60 cents from Chicago to Omalia, therefore the cost to Kearney at the same rate per 100 pounds per mile would make the rate and st cents. The rate being also in conts per 166 pounds. but 84 cents.

Then follows the prayer for relief.

On the Side of the Roads. The defense on the part of the Union Pa

cific is that the rate is reasonable in itself, is not unjust, high or illegal. That the \$1.30 rate referred to was changed to \$1.30 because the lines east of the river raised their rates from Chicago to the river, necessitating the increase of the through rate to Kearney. That the former rates even at the time mentioned by Gustin

were unreasonably low. The case against the Union Pacific and Southern Pacific will probably be postponed on account of the absence of material witnesses.

IN SECRET SESSION.

Railroad Solicitors Discuss the Maximun Rate Bill Behind Closed Doors.

All day yesterday the legal lights of the roads affected by the maximum freight bill were in session in the library of the Union Pacific, discussing the merits of the bill and how it might be knocked out before going into effect. While the gentlemen were sworn to secrecy, it is known beyond a question that a policy was agreed upon to be pursued which will make itself known before May 27. What that policy is could not be learned, although it is thought to be an action in the federal court setting up class legislation.

What interested the attorneys most was the reading of section 18 of the act of July 1 1862, enritled: "An Act to Ald in the Con struction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean and to Secure to the Government the See of the Same for Postal, Military and Other Purposes," which is nothing more Other Purposes," than the charter of the Union Pacific rail-

MONEY TO COMMAND Nothing.

[CONTINUED FROM PERST PAGE.]

and the points from which received." Witness was cross-examined by Mr. Web-

"In the depot."

"Are they there yet?" "No, sir; I don't know where they are."

There Were No Plans.

E. P. Roggen was put upon the stand. "Did you ever talk with any of the mem rs of the Board of Public Lands and Buildings about the plans for the cell

Yes, sir; in August, 1891. I attempted to investigate the numerous runnors that were foating around about the cell house. Mr. Hill told me that there were no plans and that he had allowed Dorgan to erect the building. I told them that there had been no bids asked for, and that there was no provision about the price to be paid for con-

vict labor." "Was Mr. Homphrey present and did he

hear the conversation." "Yes, sir; but Mr. Hill did the most of the

Webster did not care to cross-ex-

John Dorgan was called, saying that under the advice of his attorney he would decline to testify. He said that he had been in-dicted by the Lanenster grand jury, and did not want to testify to anything that would

nate himself. Mr. Lambertson said that he wanted to uestion Dorgan about some expense bills. Dorgan was excused until he could consult with his attorney.

Locating the Asylum Cars.

C. O. Cassidy, one of the bill clerks for the Burlington, went upon the stand to testify regarding freight forwarded. Witness was a book and asked:

What book is that?

"That is a train forwarding book." "Is that one of the books that you kept during 1891?

From this book can you tell what cars

went to the asylum?" "Yes, sir." "What train did those cars usually go out

No. 27."

"Turn to the first place that you have marked and tell me what you find." "The numbers through which there are pencil marks show that on the night of October 27 the cars were not put on the train, or else were thrown out.

'is that true as to all numbers through which there are pencil marks "" "To the best of my knowledge.

"Did you make copies of the freight re-ceived books" 1 did.

Upon being handed the package of way ills, the witness found a large number which he recognized as having been made by

dimself. "Everything that you copy is contained on

Yes, sir.

"You may take the witness," said Mr. Lambertson. "These bills show only the cars received

at Lincoln over the Burlington" asked Mr Webster.

"That's all; they don't show freight for-

"I see where cars are marked out; was

that your custom " "Yes, sir; sometimes crased with a pencil

and sometimes with a pen; I used whichever was handy. 'Is the book made before the conductor

signed for the train?

"Yes, sir," "If you had a car and cut it out, would it go at some other time?'

"If the number of the car is erased, would indicate that the car was never that

shipped? No. 5ir."

On reduced examination. Mr. Lambertson asked: "Would the crossing out of the number indicate that the car was sent?" No. sir.

John Dorgan Had to Swear.

John Dorgan's attorney having arrived to look after his interests, John was again called, but objected to being sworn. Attor-Wheaton, Dorgan's counselor, said that he had advised with his client, and, owing to the fact of the numerous indictments, he

"Do you know if that car ever went?" "No, sir: there is nothing in the train forwarding book to show that the car ever went to the asylum. "I see there are car numbers scratched

out the second time. What does that indicatel That it was put on the book, scratched

out, put on again and scratched out again." Mr. Webster did not cross-examine, say-ing, 'We got the coal and that's all we want Frank Richards of the Burlington testified that he received the telephone orders and made out some of the freight forwarded bills for freight sent from the office

He was shown the shipping bills and iden tiffed those made out by himself. 'Are they true and correct copies of the book

'Yes; only the rate is left off. It is an exact copy of the way bill showing the kinds and weights.

"Did you make a copy of the freight re-ceived book for the asylum?" Don't comember. T. C. Gilmore, rate clerk in the Burlington

office, was sworn. "Did you make copies of the freight re-ceived book, showing the coal sent to the

Yes, sir; I did." The book maying been lost or stolen, wit-ness was shown the freight bills that he might say whether any were in his hand-writing. He found several which he could

"Are those correct copies of the books which were in the office ?"

"Yes, sir." "Have you there the car receipts for Janu-

ary, February and March, 18017 "I find February and March, 18017" E. V. Marriner, another Burington clerk, testified that he had copied way bills and freight forwarden bills in the Lincoln office.

Writness was shown the way bills introduced in evidence, and said that he had copied them from the books which had disappeared. He identified many of them as having been made by himself. C. E. Stewart, one of the Burlington clerks,

identified all of the way bills that he had made, and testified that they were exact copies of the books. C. Ludwig, the car checker, testified that part of his duty was to make copies of the books in the Burlington office. When shown the way bills of the cars of coal sent to the asylum, he identified all of those which he had copied.

Object of Identifying the Bills

This ended the testimony of the railroad clerks and accounted for every car of coal handled by the Whitebreast Coal company and Betts & Weaver, between the dates, April 1, 1890, and March 21, 1892, and at the same time furnished a complete record of all that was contained in the books which were before the legislative committee, returned to the railroad officers and then

disappeared. Mr. Lambertson suggested that there was Mr. Lambertson suggested that there was a way to economize on time. He had all of the expense bills, showing the cars shipped to the Whitebreast Coal company and Hetts & Wenver. There was a wagon load of them, and it would be proper for the attor-neys for the respondents to appoint a man to compare them with Fred Race, returning a tabulate strement to the sent.

a tabulated statement to the court Mr. Webster thought that would be agree ble, if the bills referring to the alloged frands could be separated. He did not think, however, that his clients would be willing

to hire and pay a man for examining millions of pills which would cut no figure in the case. The matter was left open to be settled at some other date, to be agreed upon

by the lawyers and their clients.

How the Convicts Worked.

Switching from the coal branch of the impeachment the attorney for the state went back to the cell house feature. George Coy, who worked on the cell house from April 1891, until October, 1892, was sworn

"How many convicts were working on the cell h isked Judge Pound. About thirty.

"How many were skilled workmen?"

"Were they the best and strongest men?" "No, sir; they were not." "Who had charge of the convicts?"

"Adams, the guard. Would they perform as much work as

citizens? "No, sir, not half as much; they worked as many hours."

"Did the convicts work all the time during the month of January, 1892" "There were ten days that they did not

"Had you ever worked at the stone busi-ness before May, 1801?"

not on the cell house were they idle?" "No. They were clearing up the yard." "Did you have anything to do with select-

During those ton days when the men were

"No sir, but I know that men who could

stand the other work were put on the

Where did the convicts who thought the

Introduced the Dorgan Warrants.

that he had been in the office for twenty years. Witness had the warrants drawn

Mr. Webster said that he raised no cles-tion about the warrants having been paid. Mr. Lambertson replies, that the testi-mony would a see the warrants were with a and paid several months, but and Mr. Webster said that he raised northes

amount of interest as a result of such pay

Justice Maxwell held that the warrants were admissible, but if they did not sustain any charge they would not be considered by the court. The question of interest could be considered when the arguments were

"Were these warrants paid when drawn?" asked Mr. Lambertson.

W. H. Dorgan, June 2, 1891, and paid on the same day; this one for \$5,080 shows that the

state paid \$298 interest," answered the wit-

How Car Records Arc Kept.

Here is one for \$6,100 drawn in favor of

and paid several months before the

Deputy State Treasurer Bartlett testified

during that time.

'Yes, sir."

No. sir.

ing the men

specifications.

reached.

were aware of the fact.

questions to propound.

"Yes, sir." "What do they indicate?"

the record of special switching!

the same.

on specials."

row morning

cars.

asylum on No. 277"

sent down to the asylum?"

"No, sir; the foreman of the yard kept ch a record, and the car record would do

Did most of the cars of coal go to the

Yes, sir; it would not average two cars

per week that would go down to the asylum

Weaver; in some instances I would find th

cars and in other cases I never found the

Owing to the fact that the taking of Race's

testimony would consume several hours of time, and the hour of adjournment having

arrived, the court took a recess until tomor-

car and what it contains.

"Did you work hard !"

"From the barrel house."

against the cell house funds.

work on the cell house, though we worked for the Western Manufacturing company

MUD AT GHURCHILL DOWNS Washington, 5; Boston, 2, Earned runs: Wash-ington, 5; Boston, 5; Batteries: Maul and Farrell, Staley and Merrit,

to Land the Derby Today.

Every One of Them Has a Liking for a

Heavy Track-Brief Glance at the

Candidates Outcomes on

the Courses.

LOUISVILLE, Ky., May 9.-That classic turf

vent, the Kentucky Derby, will not be run

over a fast track tomorrow. Three days of

rain put the track at Churchill Downs in

bad condition, but the sum came out today

Boundless, Goemetze; Buck McCaun,

answer, not because none of the five

or six starters is a mull lark, but because all

track. If there were no mud horses in the

race. Messrs: Cushing & Orth would prob-

Boundless have demonstrated that it does

not stop them; but as the others are equally

good or better in the mud, they would rather

Buck McCann comes of mud stock, and if

the distance is not too far for him, and he

does not fall down in the stretch, he ought to have no trouble m holding the others

value of the stake to disprove it. Plutus likes the mud and he has no object

tion to the route. The stable is a triffe mys-terious about him, and it is hard to obtain

any information except as to his general con-

dition. No one outside of his trainer, owner and rubbers has seen him work better than

 $3:42_{12}$, but an impression prevails that he has covered the distance in at least six sec-

Linger won his stake at Lexington in mud.

The distance was a mile and a sixteenth, and the weight 94. In the Derby he will have to take up 122 and go three-sixteenths farther. This will probably stop him. Mirage is not much thought of, but there is no telling what Murphy's luck will bring about

Results at Nushvitte.

First rare, one mile: The Hing (2 to 1) won, orest Rose (9 to 20) second. Time: 1:47%

Brest Rose (5 to 2.0) second. Time: 11474.
 Second race, half mille: Roberta (8 to 1) wob. Annie Burkhugham second, Sewing Girl (10 to 1) third. Time: 515.
 Third race, one-half mille: Editha wob. In Front second. Time: '61.
 Fourth race, five furbors: Billy Smith wob. Climax 11.30 to 1) second, Dick Willis: 2 to 1) third. Time: 1:05.
 Firth race, one mille: Parapet (8 to 1) wob, Sim Ermer (8 to 1) second. El Pase (6 to 1) third. Time: 1:47.
 Sixth Frace, five furbors: Freedom (3 to 1) wob, Hesperin (8% to 1) second, Dutch Oven (3 to 2) third. Time: 1:035.

Short Horses at St. Louis,

St. Louis, Mo., May 9.-Weather pleasant

and track heavy as the fair grounds. Only

NASUVILLE, TCHU., May 9.-Results.

Mirage, Isaac Murphy.

ee a dry track.

onds better.

about.

Orioles Still Leading. BALTIMORE, Md., May 9.-Haltimore won Strength as Well as Speed Will Be Required

Its fourth consecutive game today. The Orioles assumed command in the fourth in-ning, scoring four runs after two men had been retired. Weather pleasant. Score: SIX GOOD MUD HORSES WILL START

Hits: Baltimore, 13; Philadelphia, 6. Errors Balthnore, 3; Philadelphia, 4. Earned runs Balthnore, 2; Philadelphia, 1. Batteries Schmidt and Kelley; Keefe and Cross.

Willie Was Wild.

St. Louis, Mo., May 0-Chicago lost to day's game : irough Hutchison's wildness in the fourth inning. Decker's errors in the seventh and by mopportune batting. Score Hust St. Louis, 4: Chicago, 6. Errors: St. Louis, 1: Chicago, 3. Errord runs: St. Louis, 1. Chicago, 0. Batterles: Gienson and Pietz Hutchison and Kittridge.

May Have Two Today.

and the wind began to blow, and if the LOUISVILLE, Ky., May 9.-Wet grounds provented the Louisville-Cleveland game today. There will be a game tomorrow morning if the grounds are in good condition. heavens do not leak any more the track will be fair. In all probability there will be six starters and they will be ridden as follows: Lookout, Kunz; Standing of the Teams.

W. L. P. (Cloveland. Thorpe; Plutus, A. Cayton; Linger, Martin; Which of them is best in heavy going is the question being asked. It is pretty hard to

Solly's Apt to Get Hurt.

Sr. PALL MINE, May 9 - Solly Smith and of them are more or less fond of a heavy Zeke Abraham left on the Burlington for Chicago from whence they will go east. Abraham this morning received a telegram ably prefer the heavy going, as Lookout and from an official of the Concy Island club in New York requesting arrangements be made for a meeting with Johany Griffin, who

"We shall accept, said Abraham this afternoon, "Smith's fight with George Dixon does not take place until October, and can easily prepare for a fight with Griffin text month and then be in condition for his next with Dixon in October."

Soggans have their heart set on winning the race. The reputation of their great sire, Buchanan, is at stake. He has the name of getting only sprinters, and the Scoggans could afford to give double the value of the stake the discussion is The telegram stated that \$5,000 will be given for the fight and a Coney Island repre-sentative will meet Abrahams and Smith in Chicago and conclude arrangements for th fight

BOHEMIAN TURNERS' FAIR. Many Attractions Make the Affair a Finau

cial and Social Success.

Thirteenth street, under the auspices of the

Bohemian Gymnastic so lety, promises to

be a financial as well as a social suc-

cess. It is being given for the benefit of the building fund, the object of

which is the construction of an entertainment

hall for the private uses of the gymnastic association, whose cutertainments, held in public halls, have been interfered with by

public halls, have been interfered with by outsiders more than a little, to the discredit and discomfort of the society. The exhibit consists, for the most part, of displays of silverware, toi-let articles, china, furniture, musical instruments, sewing machines, oil paintings and etchings, and face and fancy needle-work. The exhibits of face articles made by Miss Minule Susteric, and the embroidery work done by Mrs. A. Bartos and Misses Michal, Salda and Sobru are worthy of soc-

Michal, Salda and Sobru are worthy of spe-

Among the many features of the fair are

heraffics. A silk flag is being contested for oy various Bohemian societies. John Huts

by various Bohemian societies. John Huts lodge, Knight of Pythias, leading with 297 votes, the Ted Jel Sokol society following with 225. A gold pin, bearing the mono-gram of the gymnastic society, is the object of a spirited contest, in which Mr. R. Havelka now leads with 150 votes. A silk hat, to be given to the most popular basiness man of that locality, is also hang voted on and a number of

is also being voted on, and a number of prominent ladies have been nominated in a

Last ment's entertainment proved to be a nost su cessful one. The hall was taste-

nost successful one. The hall was taste-ully decorated with the pational colors, and

plants and flowers of southern elimes gave an attractive appearance to the stage, from which the Union

pacific band discoursed sweet music. All the voting contests were spirited, espe-

cially in the case for the possession of the

beautiful United States banner, valued at

\$100, in which more than a dozen societies

personal popularity competition, in Mrs. E. Bondhauer now holds the lead

ial mention.

the raffles.

the

took part.

The fair in progress at 1315 and 1317 South

road The section states, "that whenever it appears that the net earnings of the entire road and telegraph, including the amount allowed for services dered for the United States after deducting all expenditures, including repairs and the furnishing, running and managing of said road, shall exceed 10 per centum upon its cost (exclusive of the 5 per centum to be paid to the United States) congress may reduce the rates of fare thereon, if unreasonable in amount, and may fix and establish the same by law. And the better to accomplish the object of this act, congress may at any time-having due regards for the rights of said companies named herein-add to, alter, amend or repeat this act."

The reading occasioned considerable dis-cussion, the attorneys admitting that con-gress clearly reserved to itself the right to make rates, taking it out of the hands of a state's representatives, and it was further conceded that only to meet competition of roads at common points, could house roll 33 operate against the Union Pacific?

But other resources are to be exhausted before the Union Pacific is called into the matter. What those resources are can only be known about the time indicated.

Judge Kelly of the Union Pacific stated that nothing had been done whatever, the meeting being very informal, so informal that it hardly deserved the name of a meeting. "Absolutely nothing has been decided upon and the meeting broke up without a discussion as to another meeting or when it should be held. No progress is the only report to make." Except the attorneys who will appear be-

Interatite Commerce co: today all the others left for their homes on the afternoon trains.

WILL WAIT ON THE ATCHISON.

Rates in Colorado Have Reached Neer's Level-Action of the Rio Grande.

CHICAGO, III., May 9 - The Denver & Rio Grande today announced a rate of \$3 from Denver to Pueblo, an increase of \$1 over the rate which has existed between those points for the last fortnight. It was declared at the same time that the Denver & Rio Grande would not make any further reductions or take any action of any sort until after May 20, the date on which the Atchison will withdraw from the Western Passenger association. It will now rest on its oars, and wait to see what action the Atchison will take, and the Atchison, too, says that it will do nothing until May 20, and between now and then every effort that can possibly set-the the fight will be made. Both the Rock Island and the Burlington are very uneasy leat the Atchison will begin to very uneasy of the Missouri river as soon as it is out of the association, and they will spare no pains for patching the difficulty are correspond-ingle being the difficulty are correspondingly brighter.

The Denver & Rio Grande was threaten-ing in Denver yesterday to make a round-trip rate of \$10 to Chicago, but the fact that it elevated its Pueblo rate, instead of lower-ing its rate to Chicago, is taken by rallroad men here as evidence that the fight will not last much longer. Passenger traffic to Chicago at present.

especially from the west, is far below what many roads expected; in fact, it is not much ver what it was at this time a year ago. This the roads are disposed to attribute to the reports sent out of the incomplete conattion of the fair. They are, however, look-ing for heavier travel within a fortnight, by ich time the fair will be in complete readiness.

The Alton sits on the baby carriage idea. The plan to charge for bicycles and baby car-riages, when carried in baggage cars, as recommended by the general association of passenger agen is and western roads gene ally, has not with acceptance by all, except the Alton, which has veloed the proposition. It declares that these goods are easily dam-aged and the amount of damages each road would be compelied to pay would, in the end, exceed the revenue it could derive from the charges.

Carpet Makers Fall,

VIENNA, May 9.- Brueder & Wolff, promineul manufacturers of carpets, have failed. Liablities, 1,000,000 florins. had advised him to refuse to testify. It was right that he could claim Judge Pound suggested that that was a uestion for the court to decide and that Dorgan's opinion cut but little figure. Justice Maxwell, after consulting with his associates, said that the court was unanimous in the opinion that the witness could

This settled it, but John was like his rother, being very forgetful. "What company do you represent?" "The Whitebreast Coal company."

"How long have you been with that comany I decline to answer.

cell house.

Mr. Wheaton said the answer might tend to criminate the witness. "How could it?" asked Justice Maxwell, "This is one of the very questions that will arise on the trial in the district court," No sir, 1 did hot; we would work awhile and then stand and look around awhile." work so easy come from ' added Mr. Wheaton The court took the matter under advise

ment. Did your company enter into a contract

with the state to deliver coal at the asylum during 1890, 1891, or 1892?" asked Mr. Lamdon't know," answered Dorgan, and

then Wheaton objected again. "How could the fact that he had a contract to deliver coal convict him of a crime? asked Judge Pound. If you answer yes will your books show

this, the amount delivered, the car numbers "I refuse to answer," said Dorgan.

" will you produce the books ! "I don't know."

'Is your company incorporated!" "I don't know. I refuse to answer." With a look of supreme disgust Mr. Lam-bertson told the witness he could go.

"You will be here tomorrow morning and the meantime we will decide whether you are to answer the question," said Justice Maxwell

Identifying Bills and Books.

Charley Robs, a Burlington clerk, was the next witness. After examining the way bills which had been introduced in evidence, witness identified many of them as having been made by himself while in the freight

'Are they copies of the freight book?'

"So far as they purport to be." Mr. Webster did not care to cross-examine. A. L. Manchester was called to identify the freight forwarding book.

"Who kept that book !" "I kept part and Mr. Wilbur the balance.

"Do you find any cars consigned to the

Mr. Webster objected if it was to show that my cars were sent to the asylum.

Mr. Lambertson said that it was simply to Illustrate a point. "On the page you are looking at there are the numbers of six cars marked out. What

does that mean ?" "It means that they did not go out on the

train that it was intended they should go

They did not go out then on the date indicated?

"No, sir" "Do you check the cars?"

"Yes, sir; we check the cars with the numbers put on this book, and if the cars indicated in the book are not in the the train e make the crasures." Cross-examined by Mr. Webster:

"If cars, are taken out by the switch en-gine they are not entered in this book?"

"It is not often that cars are taken out by the switch engine!" asked Mr. Lambertson

"Quite often." "Would Mr. Dobbins, the car checker,

know where the car was?" 'He might.'

"What trains carry cars to the asylum?" asked Mr. Webster.

"No. 27, extras and the switch engine." No Method of Telling.

Frank Burgess, the bill booker for the Burlington, was called and testified. "Does the book you hold in your hand con-tain the record of cars handled by train No. 27?"

Yes, sir " "There is a car number scratched on the page you are new looking at; what does that

indicate? "That the car did not go at that time."

"Is there anything in the book to show that the car over went?"

 two favorites won,
 First race, six fortonzs: Miss Mosely (2 to 1) won, Safe Homer 10 to 1) second, Bonfre (3 to 1) third. Time: 1:21.
 Second race, four and a half furlongs: Furo (10 to 1) won, Harry M (2 to 1) second, Barney Aaron (15 to 2) third. Time: 1:01%.
 Third race, selling, seven furlongs: Ed Green-wood (2 to 1) won, Minnle Cee (3 to 1) second, Gray Dake (20 to 4) third. Time: 1:18%.
 Fourth race, four and a half furlongs: Bone Doctor (5 to 1) won, Bedford (3 to 1) second, Gray Bake (20 to 4) third. Time: 1:18%.
 Fourth race, four and a half furlongs: Bone Doctor (5 to 1) won, Bedford (3 to 1) second, Captain Shelair (15 to 1) third. Time: 53%.
 Fifth race, five and a half furlongs: Yloin Bell (7 to 2) won, Reuben (2 to 1) second, Frank Ellis (6 to 13) third. Time: 1:11%
 Sixth race, selling, seven and a half furlongs: Rally (9 to 2) won, Blaze Duke (8 to 5) second, Edgar Johnson (3 to 1) third. Time: 1:40%. 1:40%. "Was you a convict?" asked Mr. Webster on cross-examination. They Never Do There.

two favorites won.

GLOUCESTER, N. J., May 9 .- Only two lightly played favorites won today. Summary:

mary:
First race, mile and a half: Channey (7 to 1) won, Fox Grape (3 to 1) second, Gleniochy (20 to 1) third. Time: 2:54.
Second race, seven furlings: Poet (3 to 1) won, Listicare (7 to 2) second, Athena (12 to 1) third. Time: 1:394.
Third race, seven furlings: Anorean (5 to 2) won, Monelece (4 to 1) second, Come On (5 to 1) third. Time: 1:064.
Fourth race, six furliongs: Rico (2 to 1) won, Captalo Brown (3 to 1) second, Pagan (4 to 1) third. Time: 1:2142.
Fifth race, four and a half furlings: Sweet Alice 5 to 1) won, Keine (5 to 1) second, Red Elm (30 to 1) third. Time: 59(8).
Six race, four and a half furlings: Radiant (6 to 1) won, Sequel (8 to 1) second, Henry George (4 to 1) third. Time: 1:01.

(6 to 1) won, Sequel (8 to 1) second, Henry George (4 to 1) third, Time: 1:01. Outcome at Guttenburg.

NEW YORK, May 9.-Results at Guttenune:

First race, four and a half furlongs: Lisbon Maid to to 1) won, Captain Wagner (10 to 1) Prest race to 1) won, Capitalin Wagner (10 to 1) and facto 1) won, Capitalin Wagner (10 to 1) cond, Einstone (100 to 1) third. There: 56, Second race, one-half mile: Pocahonias (9) (2) won, Dr. Crosby 4 to 50 second, Progress (2) won, Dr. Crosby 4 to 50 second, Progress 22 to 1) third. Time: 50. Third tare, five-eighths mile: Flattery to 1) won, Terrifler 6 to 5) second, Siracco 6 o 1) third. Time: 10442. Fourth race, mile and a sixteenth: Rot 2

work was done, and was to prove that in this manner the state had lost a large Fourth race, mile and a sixteenth: Rhot (2) to 1) won, Fagot(3 to 1) second, Seven (10 to 1) third. Time: 1:51. Fifth race, one mile: Fidelbo (3 to 1) won, Rilizen 5 to 2) second, Lord Harry (7 to 2) third. Time: 1:41!3. Sixth race, seven-effectiths mile: Climax won, Longstride second, Elwood third. Time: 1:20%. Mr. Webster urged that that was a new feature of the case, one not covered by the

Judge Doane added that the showing 1:20¹2. Program at Hawthorne, could be made that warrants were drawn and paid long before any work had been done, and that the members of the board

HAWTHORNE, III., May 9 .- Results First race, four furlongs: Hennirea won, Buenos Ayres second, Oudina third, Time: 56, Second race, five furlongs: Scalight wan, Mise Ruth second, Pearl C third, Time: 1:104, Third race, one mile: Santenario won con-tent second, Genoral Caldwell third. Time:

Fourth race, five furlongs: Lord Tom Him-ie won, Kalamazoo second, Burt third. Time:

Fifth race, five and a balf furlonzs: Rob Fombs won, Bob Weitbree second, Tudor third Fime: 1:16. At East St. Louis.

Sr. Louis, Mo., May 9.-Results today at

The attorneys for the respondents had no East St. Louis: First race, nine-sixteenths mile: Poor Abe won, Belle C second, Promise third, Time: 1:014.

Second race, selling, five furlongs: Velox on, Mildred second, Frank Phillips third, Fred Race, who had served as auditing clerk for the B \propto M. during 1890, 1891 and part of 1892, was sworn. After leaving the me: 1:08. Third race - Declared off.

Fourth race, four and a half furlongs: John won, Mandy Brooks second, Everatt third, line: 1:00%. B. & M. he went to the asylum in the ca-pacity of bookkeeper, remaining one year. Fifth race, six furlongs, handleap: Future won, Frankle D second, Avon d.Or third. Timer 1:22. "Have you ever seen, the car checks for 1890, 1891 and 1892?"

NATIONAL LEAGUE GAMES.

"There is in the employ of the railroad company a man who goes around the yards each day making a list of every car in the yard. The checks show the location of each war at debut it contains " Brooklyns Give the Giants a Drubbing Before a Distinguished Crowd.

NEW YORK, May 0 - The Brooklyns came to the Polo grounds today and gave the New "Where cars are transferred to the asylum by a switch engine what record is kept?" Yorks a discouraging defeat before 8,000 "We would give the operator an order to the yard master, telling him where to take the car; it would be a written order and would be entered in the books." people, including many officers and sailors of the visiting war'vessels. The New Yorks had a commanding lead up to the seventh, when Crane went to pieces. Score: "What book is that you have?" "The switching book showing 1890, 1891 and a part of 1892, done from coal yards." "Would the freight receiving book contain the remaind of main block book contain

Hits: New York, 11; Brooklyn, 12; Errors: New York, 4; Brooklyn, 1. Earned runs: New York, 2; Brooklyn, 4. Batterjes; Orane, Freman and Doyle; Kennedy and Kinslow.

Jonahs Pull Off Another. CINCINNATE, O., May 9 .- Cincinnati was

gain defeated by Pittsburg. Inability to at Terry and the sharpness of Pittsburg's fielders were the causes. Score: Pittsburg.

Did you go over all of the checks for cars Hits: Cincinnati, 3: Pittsburg, 12. Errors: Cincinnati, 3: Pittsburg 3: Earned runs: Cin-cinnati, 0: Pittsburg, 4. Batteries: Vaughan and Chamberlain: Mack and Terry. "I went over everything on the yard checks which were in the bills charged to the Whitebreast Coal company and Betts &

Boston Badly Mauled.

WASHINGTON, D. C., May 9. - The Washingtons walked away from Boston today. They batted Staley at will and aid by errors, ran their totals into double figures. Score: Washingtou 6 1 0 2 0 2 1 0 3-15 Restor 1 0 0 6 0 1 0 0 0-8 Hits: Washington, 20; Boston, 12. Errors:

The Bobolink Polka on the flute by Syoboda, accompanied by Miss A. Mach on the plano, was encored as well as the Home, of Love by the same parties. A social dance filled out the bal ace of the evening's program. The parties aving the fair in charge acknowledge very kind treatment from the business men o the city who have placed on exhibition and and donated various articles to make the fair a success

WEATHER CROP BULLETIN.

Conditions Reported to the Agricultural Department from Various States.

WASHINGTON, D. C., May 9.-This is the fourth continuous cold week throughout the entral valley, including both the winter and spring wheat regions. The weather has been more favorable in the wheat and corn regions of the northwest, where seeding although late, is in general progress, and is nearly completed in the Dikotas. The de tailed crop conditions in several states fol

Jowa-An unfavorable week; large acreage ready for corn and planting begun in

North Dakota-Past week excellent for eeding; fully two-thirds sown, except on ow lands; wheat showing up in many aw. ocalities. The United States war ship Atlanta has be n

South Dakota-Seeding, oats, wheat and barley nearly completed in castern section. Nebraska—Cold weather delayed earn planting, but in southern counties mostly completed and some coming up. ordered to proceed temediately to Greytowa on the east coast of Nicaragua to protect American interests in that country, especially in connection with the work on the canal.

Kansas-Continued cloudy weather, with grass improved in eastern counties, though

Judge Lecturan, the newly appointed com-missioner of pensions, took formul charge o its office yesterday. In the afferman the 2000 clerks of the burshow formed in the an-each in turn was presented to the new com-obscioner. ome corn is being replanted ; plowing begun in the western countie Montana-Warm weather during the past J. Ernest Waters, a well known mining en

two days vory beneficial. Wyoming-Weather too cold for anything to grow, and too damp for farm work. a Ernest waters a well known mining en gineer, and at one time manager of the grea Sheridan and Mendota mines in southern Colorado, was found dead in his bed yesterilay at Denver, Colo. The cause assigned for his death is neart disease.

Idaho-Excellent weather for farm work; lowing and seeding nearly fulshed. Colorado-Ground in good condition for

plowing and plauting except in southeast too cold for good growth; conditions improved and much more favorable. embassy, with a corresponding promotion -rank to the inclusibent.

Utab-Temperature below normal, but last two days were warm and bright, giving all vegetation a start, crops have not been injured, although set back.

California-Grain crop short; cherries, prones, almonds and berries, average; peaches, two-thirds and apricots one-third membership of 9,258. Secretary Herkert has authorized the state-ment that he will docline to extend the leaves of absence of any officer of the navy who is engaged in private business. He will not in-terfere with the orders of his predecessors but will graut no new leaves of this kind and will call in all those abready granted at the ex-piration of the terms assigned them. of a erop; hops improving rapidly; sugar peets in San Bernardino county good.

PERSONAL PARAGRAPHS

Mrs. Fannie O'Linu of Chaldron, Neb., is in the city on her way to the World's fair

Miss Kress and Miss Dowarlet left Satur day for Kearney and have just returned home, spending several days with friends and enjoying a pleasant visit. Mayor Blake of Sheridan, Wyo, is in the

Survey of black of sucrements who is in the city. He says the assessed valuation of property in Sheridan reaches \$500,000. An electric light plant is being crected and Mayor Blake is now looking up the matter of putting in a water plant. The town is

The authorities at Berlin have ordered a parantine against all vessels arriving from reach ports. This action is due to the spread f cholers in France. f cholera in France. urishin of cholera in France. M. W. A. Saunders, the liberal member of Parilament for New Islington Walworth, England, who showed a disposition to vote against the second reading of the frish home rule bill, but finally voted with his party, is about to refire from Parilament in deference to the wishes of his constituents, who are dis-pleased with his course. New York, May 9.—[Special Telegram to The Ber.]—Omaha: E. M. Stiner, Broad-way Central; K. Sanford, Hoffman, Lincoln; I. M. Imhoff and wife, Westminster; Miss Loise Sido left the Hotel Savoy to sail on the steamship Havel of the North German Lloyd line for Bremen.

Monday night. Next doorto Postomeo The supreme council of the Catholic Knights (America has began an important session in hicago, Ill.

swere lynched at Beradon, Mc

The annual convention of the Ancient Order f Hibernians has commenced its session in A GALA WEEK OF MUSIC New York City. Gladstone, S. D., and many other places in that state were shoken yesterday morning by

an earthquake. The condition of James McMullin, vice presi-ent of the Chicago & Alton, was reported to a unchanged last night.

WILLIAM ON THE SITUATION

He Talks About the Rejection of the Ger-

man Army Bill by the Reichstag.

DOES NOT WISH TO RULE ABSOLUTELY

He Has Confidence in the People and Their

Patriotism-An Interesting Speech

29.66

Jullus Crain

Cieveland, Ohio,

Hood's Proves Its Merit

Severe Case of Elood Polsoning-

A Perfect Cure

"I will tell how valuable we have found Hood's Sarsaparilla. My brother Julius was

Blood Peisoned

and, although we had medical attendance, he failed to get any better. He was welk for time warry months, suffering with numerous sores, which appeared first like water bilaters, and when they build, wherever the water spread en-new sore formed.

The Pain Was Terribio

The trouble was principally upon his logs, and

We were also have a subscript of the state of the second s

Hood's sense Cures

Sarsaparilla due sores all disappearet, and in a short line he was perfectly curve?" EMMA CHAIG, 51 Park St., 27th Ward, Cleveland, O.

easy in action. Sold by all druggists, 25c.

36

Hood's Pills are prompt and efficient, yet

SPECIALISTS

Traduate of Rush Melleal College, (CON-ULTATION FREE) For the treatment of

PRIVATE DISEASES

We care Catarrh, All Diseases of the

Nose, Throat, Chest, Stomach, Bowels

Blood, Shin and Kidney Diseases, Female Weakuesses, Lost Manhood

PILES, FISTULA, FISSURE permanently cured without the use of a knife, lighture or caustle All malatiles of a private or delicate nature, of either sex, positively cared Callon or address, with stamp for Circulars, Free Book and Recipes.

Dr. Searles & Searles, 118 S. 15th St.

AMUSEMENTS.

GRAND

POPULAR MAY FESTIVAL

FOUR CONCERTS.

MME, FURSH MADI MME, VANUAUTHREN Sopranes, MISS MINNTE BEHNNE, Contralto, MICA, L GUILLE, Tenar, MR, WILLIAM MARTENS, B. ritono, SIG, VIVIANI, Basso and MISS LEONORA VON STOSUH, Vio'in Virtuoso.

MAY 17 AND 18,

New York Symphony Orchestro

WALTER DAMROSCH, Conductor,

45 Members.

MME, SOFIA SOALCHI, Controlta MR, ADOLIUI BEODSKY, Volumer, MR, ANTON HER KING, Volumenist, MISS LILLIAN REAUVELT, Suprama

APOLLO CLUB FESTIVAL CHORUS

Reserved seats now on sale at Ford & Charl-ton's, 558 Dudge strent

BOYD'S THEATRE Special Special

One Week Heginning SUNDAY EVENING, May 14th.

THE CALHOUN COMIC OPERA COMPANY

With a very strong east of principals. Laura Millard Princip Doma Soprano Any Lestle Operate Soprano Carotyn Maxwell Soprano Neille Hartiey, Contraite Martin Potte Principal Bartione Deuglas Fint Barting Kertand Gahoan Concellant

Tenter Thomason Tenter Itis Thayer. Barliona A well trained chorus of 30 VOIGZS and Augmented Orchestra. CARL MAINTENS, Conductor

REPERTOINED

Wednesday and Thursday Even "BOCCACIO."

Friday and Saturday Evenius, "FATINITZA."

ONDERLAND

Sunday, Monday, Tueslay Evenings and Wonnesday Matinee-"SAID PASHA."

Saturday Mathues, "SAID PASHA." Sate opros Saturday, 13th, 5 o'couck. Priess de, 15c, 5c and 7c.

FARNAM ST. THEATRE PRODUCT

TONIGHT.

A. Y. PEARSON's Gorgeous Production of the

THE FIRE PATROL.

notanal operation. A generates free pater, wayon and horses Wedneaday Mathae, any sustaire

THE BEAUTIFUL MELODRAMA

MAY BLOSSOM

And the AUSTRALIAN BUSHMEN. MATINEES DAILY REDUCED PRICE, Matinues To all parts of the house, 20 cents. Eventuge -Balgony, 20 cents: parquet. 75 cents.

AND BIJOU THEATER

730

15c. 2oc. 35c. 5De

100

- Carton

200

MAY 15,

SOUEA'S

CONCERT BANDA

Conductor:

JOHN PHILLIP SOUSA

50 Members.

CURED.

CHRONIC, NERVOUS

OR

Searles

Searles

we were afraid they would have to be ampu-

to the Officers of the

German Army.

PERLIN, May 0 - After the review of the

troops on the Tempel Hofferfield today Em-

peror William commanded the nighest offi-

cers of the guards to gather round him and

addressed to them these words: "Since we

ast mot, the situation created by

the army bill has shown peculiar

changes. I could not look forward

to the rejection of the bill. On the contrary

trusting to patriotism of the Reichstag,

hoped for the unconditional acceptance of it

The result has caused me deep disappoint-

ment and sorrow. I regret that the patriotic

men who were in the minority did not sur-

ceed in defeating those who were indifferent to the welfare of their country. During the

ast few days passionate words, which

mucht better have command unsaid among

"I was obliged to dissolve the Reichstng

in the hope that the new Reichstag would

mas the bill. I am determined, in case this

hope is disappointed, to stake all in m power to obtain the enactment of the meas

urs, for I am too thorcughty convinced of its

Confidence in the People.

"We are hearing much about the excite-ment of the masses just now. I do not think that the German people will allow themselves to be excited by presponsible meddlers. On the contrary, I know that I

im in sympathy with the princes of the ederal states, the people and the army.

thank you, gentlemen, for your layal inter-est. My desire was to express to you my views concerning the bill as I did when the

The emperor speke very slowly, pausing slightly after every sontence and emphasize: all significant words, as if to direct attention to the seriousness of the situation and the

firmness of his resolution to win. The offi-cers grouped around him listened in silence. The speech has caused a tightening of the

general tension. It was printed, double leaded, by the Nora Deutsche Allgemein-Zeitung, and is this evening the sole topic

of conversation throughout the city. The tendency of public opinion is toward the conviction that the emperer is pointing straight for the goal of the Frussian re-

accounter with constitutionalism. (The corre-spondent of the Associated press was associa-offscially this evening, however, that the experior did not wish his speech to be read as a menace to the Reichstag, or as a chal-

Does Not Wish to Rule Absolutely.

"On the contrary," said the informant, "This majesty desires the most acruphious ad-herence to constitutional forms. He focus strongly, however, the argent meet of re-forming the Reichstag. He cannot covern with a Reichstag split among ten political parties, among whom, through chance or partian agreements, unforties are con-stantly forming against the government on vital issues. His matexty does not wish to

vital issues. His majesty does not wish to rule absolutely. He is willing to rule could tionally even to allow the parliamentary majority a share in the government—but what innerial cabinet could work with

Bebel, Lieber and Richter! Not one of them has under his control a positive work-ing majority; not one of them can get to gether a majority combination. Few things would please the emperor better than a cen-

solidation of the parifamentary factions into

two or three large parties with whom he would be able to reckon is determining his policy. Then he would be happy to govern

in harmony with the parliamentary majority.

TELEGRAPAIU BRIEFS.

Domestic.

shuu a

ctionaries and that he will not

ill was introduced."

enge to conflict.

necessity as a guaranty of the peace Europe to allow it to be finally defeated.

rentlemen, have been spoken.

William Matthews, one of the celebrated cat-tle rastlers of the unitiwest, was captured yesterday near Great Falls, Mont. EXPOSITION MUSIC HALL, OMAHA.

The secretary of the navy has appointed J. Rufus Pryan to be surgeon general of the mayy, to succeed John Mills Browne, retired. The supreme court of North Dakora has rendered a decision sustaining the constitu-tionality of the prohibition law of that state. The squadron of war ships in New York har-bor will in all probability, break up today, when the English vessels will take their de

parture. The trial of Judge Dubose of the Memphis, Font, criminal court, on the charge of coi-unition and tyramy has begin, the scinate of that state sitting as a court of impeachment Two policemen at Greensburg, Pa., at-tempted to correct a party of Huns for a breach of the peace. In the fight that ensued one of the Huns was killed, two badly wounded and both policemen severely injured.

Members of the diplomatic corps in Wash ngton expect that in the course of a fee unities the Spanish government will eleven he legation in Washington to the grade of

The fifth bloomial session of the supreme tent of the Kughts of the Maccahers will be-gin today at Fort Huron, Mich. The bloomial report for the term ending December 31, hist of Supreme Record Keeper Foynton, show-that 637 new tents were instituted with a membership of 9,256.

Foreign

yesterday.

Highest of all in Leavening Power .-- Latest U.S. Gov't Report.

ABSOLUTELY PURE

Al P cicicisi ou

Discussion of the home rule bill again occu-led the attention of England's Paritament

The German government is doing every-hing in its power to bring the Catholic party ver to its support in the coming elections.

Baking Powder