## JUDGE DUNDY HAS DECIDED

THE DAILY

HILL

Temporary Injunction Granted Against the Maximum Rate Bill.

CASE WILL COME UP LATER IN COURT

General Preight Agents Have Writs for Supper-Rejoicing Among Raitronders-First Blood for the Burlington-No Date Set for Hearing.

When the railroad presidents got together In Chicago the other day and formally desided to put the new rates provided by house roll 35 into effect on August 1 and give the people of the state a taste of what the results of such legislation would be, they were \*imply ringing in a stupendous bluff.

Hon. J. M. Woolworth tripped quietly into the federal building yesterday, where Juoge Dundy was sitting in chambers, and, as solicitor for the stockholders of the Chicago & Northwestern, Chicago, Burlington & Quincy, Union Pacific. and Missouri Pacific Railroad companies asked for the issuance of four restraining orders to prevent the officials of the roads named putting the new rates into effect on the 1st of Augustor posting thenew schedule In the various depots or about the grounds of the companies. The application also asked to restrain the members of the State Board of Transportation and its secretaries from entertaining or hearing any complaints against the roads named for fatting to obey the law and from seeking to enforce the law either by injuncmandamus, or any other legal pro-

cess, civit or criminal. Although the plaintiffs are stockholders of e various companies and are seeking to re strain their officers, it must not be supposed that their action will be combatted by these officers who are made defendants in the suits, as it is the plan outlined by the shrewdest legal counsel of the roads to get the matter of the constitutionality of the new law before the courts, and there is no division of sentiment between the stockholders and directors as to the desired out come or the action to be taken. The roads did not desire to lay themselves hable to the heavy and repeated penalties for the violation of the law, hence the action of the president in Chicago was taken to give the stockholders cause for action. The application for injunction was promptly forth coming. It brings the matter into court im mediately and points to a more speedy deter-mination of the question than could be reached in any other way.

Complainant in the Case.

The complainant in the case against the Northwestern is George Smith of London Eng., who alleges that with others whom he names and who figure with him in his complaint, he represents \$700,000 of the capital stock of the company. He sets forth that the net earnings of the company have never exceeded 5 per cent, and that for the past five years they have done no more than meet expenses and pay interest. He is satisfied that it cannot hope to do better for years to come, even if rates are maintained where they are now. The maximum rate bill, he alleges, reduces rates 20 per cent, and he sets forth that if the law is allowed to go into effect it will prevent the road from mak-ing enough to pay operating expenses, and will insure the deterioration of the property through inability to keep up the repairs, re-sulting eventually in the confiscation of the property, contrary to the constitution of the United States, which provides that United States, which provides that no one shall be deprived of his property without due process of law.

e plaintiff further alleges that not only is the law unconstitutional because of its terms, but that defects in the manner of its enactment render it void, as the bill was not read at large in the house on three different days. It was very materially altered from the original, and after being passed by that body it was engrossed in such a manner tha the engrossed bill was radically different from the one that passed the house. It went to the senate, where it was again changed and put upon its passage without having been read at large three times as provided by the constitution, and was put upon its passage, although the president of the senate protested that it had not been read at large three times. After passing in altogether different form from what it had passed the house, it was enrolled and in the enrolling room another series o changes was brought about. It went to the governor and was signed, but the bill signed was not the one that had passed either

It is further alleged that the roads will have no opportunity to show the reasonable ness of the present rates or the unreason ableness of those proposed, as the State Board of Transportation has the power conferred upon it by this law to still further lower the rates, and it is for the supremo court of the state to pass upon the reason ableness of the rates, which brings about a condition of affairs that is extremely unsat isfactory to the complainant, and he de claims at length on this unwarranted mixing up of the functions of the judiciary and executive branches of the state government.

Interstate Commerce Law.

The interstate commerce law gives the plaintiff another cause for allegation. He says that the new law will reduce rates or goods shipped into the state from points outside, and will also reduce rates on shipped out of the state from within its borders, and that such a law is infringing on the interstate law, which is altogethe wrong and unconstitutional. He finds section in the national constitution which prohibits states from enacting laws affect g traffic between states, and as he alleges that this will be one of the results of the en forcement of house roll 33, he bases upon it tional.

and states that immediately after the passage of the bill by the legislature the president of the company was notified by the di rectors not to put the new rates into effect as the bill was unconstitutional, and the president was requested to call a meeting of the directors, but the president has not been able to get the directors together, and a the time that will now elapse before the 1st of August is too short in which to bring about such a meeting for the purpose of di-recting the action of the president in the matter, it is necessary to have a restraining order to compel him to refrain from carryin out his present intention of cutting the rates into effect and thereby working an ir-reparable injury to the interests of the stockholders. It is also declared to be absolutely necessary to have an order issue, re-straining the state officers who are members f the State Board of Transportation from seeking to enforce the provisions of the pill is the attorney general of the state is illeged to have openly declared that he would see that the law was enforced, and would vigorously prosecute any and all roads loing a business as common carriers, and which came under the provisions of this act. n which case all the substance of the company would be swept away by the excessive penalties.

Twins of Traffic. And then the Rock Island and Pacific short Line, which are the infant roads built since 1889, that come under the exemption clause of the bill, are taken in hand by the allegator, who submits a map to show they, and more particularly the Rock Island, run through a section of the state traversed by other roads, touching at common points and in condition to do just as much business as any of the roads that are in competition with it although not entitled to any of the condition with it although not entitled to any of the enefits which will be accrued to it ion of this law. It is charged that the law a therefore again defective, as it grossly and without any just or sufficient reason discriminates, and is special legislation of

is characterized as manifestly unrasionable in the rates it prescribes, and a engthy table is submitted showing the rates allowed in other states alleged to be similarly situated and thus forming a basis for the computation of proper rates in this state. In addition to the restraining orders asked for the plaintiff wants to be allowed to for, the plaintiff wants to be allowed the costs of the action, and prays with truly re-ligious fervor for "such further relief as may

seem proper in equity and good conscience."
All of the four actions are identical and
the wording of the bill is the same with the exception of the opening paragraph, each sovering from seventeen to twenty-seven Fred L. Ames is the stockholder whose

name graces the top line in the case of the Missouri Pacific, while Oliver Ames flaures for the Union Pacific and Henry L. Higginson for the Burlington.

Beauty for Judicial Approva In each case was submitted a type-written

order for the judge to sign and which reads Upon reading and filing the bill of complaint in the above entitled suit, and it ap-pearing that the exigency requires the making of this order, it is ordered as fol-

ows:
"I That the defendants, the Chicago & Northwestern Railway company, the Fre-mont, Eikhorn & Missouri Vailey Italiway company and the Chicago, St. Paul, Minneapolis & Omaha Rallway company, their directors, officers, agents and counsellors be euloined and restrained from making, publishing or posting a schedule of rates to be charged by them for the transportation of freight on or over any of their roads in this state from one point to another therein according to the terms, provisions and commands of the act in said bill called house roll 33, and from reducing their charges for such service from the rates now charged by them to those prescribed in said act and from obeying observing or conforming to

the commands, provisions and prombitions of such act or any thereof.
"That the defendants George H. Hastings attorney general; John C. Allen, secretary of state; Eugene Moore, auditor of public accounts: Joseph S. Bartley, state treasurer, and A. R. Humphrey, commissioner of public lands and buildings, constituting the Board of Transportation of the state of Ne-braska, and William A. Dilworth, J. M. Kountz and J. W. Johnson, secretaries of said board, their deputies, clerks and ser-vants, be enjoined and restrained from en-tertaining, hearing or determining any comtertaining, hearing or determining any complaint against the said companies or either of them for or on account of any act or thing by them or their officers, agents, servants or employes, done, suffered or omitted, which may be commanded or forbidden by said act, and from instituting or prosecuting or causing to be instituted or prosecuted any action or proceeding, civil or criminal, against said companies or either of them or their officers, agents, servants or employes, an account of any act or thing by them done or emitted which may be forbidden or commanded by said act, and particularly for not reducing their present rates of charges for transportation of freight to those prescribed in this act, and that the said attorney general he in like paperson entained from bring. said companies or either of them or their eral be in like manner enjoined from bring ing or aiding in bringing, or causing or advising to be brought any proceeding by way of injunction or mandatory or other process or civil action or indictment against said companies or either of them, for or on account of any act or omission on their part commanded or forbidden by said house roll 33.

"3. That the county attorneys of this state and all other persons be and they are hereby restrained and enjoined from instituting or prosecuting or causing to be in stituted or prosecuted such actions or proceedings on any of them and that the plaintiff have leave to insert the names of any such person threaten-ing to take such proceedings and take out further order directed to him and enjoining him as aforesaid. This order shall remain in force until the formal motion for injunction or to set aside this order is made, heard and decided."

The judge wanted time to peruse the bills. and took them away with him when he went to dinner. It has been whispered among the lawyers that the judge would not decide the constitutionality of the new law, in the case brought by the Burlington a few days age to restrain the Board of Transportation from lowering Lincoln rates, but that he would grant the injunction pending the determina-tion of the question of constitutionality by the state supreme court.

It is stated that these new suits will call for a determination of the question in the federal court, as the plaintiffs assert in their bill that there is no collusion between them and the officers and directors of their roads to bring the case in this manner so as to give the federal court jurisdiction in the matter, but the protection of their own interests compels the action, and in the absence collusion or conspiracy they are entitled to a hearing of the matter and a final decision there of the question of the constitutionality of house rule 33.

AFTER AN INJUNCTION,

Lincoln Jobbers Go to Court to Preserve the Interstate Rates. LINCOLN, Neb., July 29 .- [Special to THE BEE.]-The Lincoln jobbers and manufacturers, who have inaugurated a "war" upon the railroads for the purpose of retaining the dvantages at present enjo by the city as a distributing center, made their first move this afternoon when they went before Judge Hall of the district court and applied for and secured a temporary injunction restraining the Chicago, Burlington & Quincy and the Missouri Pacific from abolishing the inter

state rates now enjoyed by the city of Lin-The case is entitled "Raymond Bros & Co., Plummer, Perry & Co., Hargreaves Bres., Cooper & Cole Bres., Henry & Coatsworth Co., Western Manufacturing company, Lincoln Paint and Color company, State Journal company, Herpolsheimer & Co., A. T. Leming & Co., Harpham Bros., Grainger Bros., H. P. Lau, R. H. Oakley, C. J. Jones. Lincoln Packing and Provision company, Buckstaff Bros. Manufacturing company and Herman Bros., on behalf of themselves and others, whose names are too numerous to mention, vs. the Chicago, Brlington & Quincy Railroad company and the Missouri Pacific

Railway company."

After setting up the incorporation of the various plaintiffs and defendants the tition shows the duty of the defendants to afford to plaintiffs the same facilities and rates as to others similarly situated; that plaintiffs have been in business for a number of years, receiving from and shipping to points both within and without the large quantities of goods: that they have paid and yearly pay to defendants and other ad \$1,000,000 as charges for

transportation of freight.

The petition gives in detail the rates now in force between Chicago and this city, those from St. Louis to this city and the rates on lumber from Rock Island, Arkansus and Texas. It shows that these rates, substantially, have been in effect since January 1, 1881, and that the rates from those points to Missouri river points have been from 3 to 5 cents less; that prio to November 17, 1887, the difference between the Omalia and Lincoln rate from Chicago and St. Louis had been from 3 to 5 cents higher than after that date—in other words, that the differential prior to November, 1887, was about double the differential charged since 1 theory. 1881

Interstate Commerce Commission Involved The petition shows that on the 17th of November, 1887, the Board of Trade complained before the Interstate Commerce commission against the rate named above, charging that the rates then in force were unjust, un-reasonable and discriminative against Lin-coin, and that they were in volation of the interstate commerce law. The Board of Trade introduced evidence before the confinission. and the same was argued and by it considered, but before the final hearing the railroads conceded the justices of the complaint and voluntarily reduced the rates by cutting the differential in haif. The Interstate Commerce commission, in view of that reduction, declined to further reduce the rate, deciding that the differential was just and reasonable. Since that time both plain-tiffs and defendants have treated the action the railroad companies as a settlement in good faith of the then existing differe and large additions have been made to the business interests of Lincoln on the faith that the rates then established would be maintained, the other roads entering Lu-coin having adopted the same schedule. As the rate was voluntarily established by

the roads, and was approved by the Inter state Commerce commission as reasonable and profitable, the railways are now estopped from raising the rate, as the pro-posed rate, being in excess thereof, is unjust, unreasonable, exorbitant and discriminative. Plaintiffs show that they have been notified of a proposed increase of from 8 to 10 cents; that the city has increased under the old rate from 40,000 to 65,000 people; that Lincoln traffic on those lines has more than

doubled, thus justifying a lower instead of a higher rate. At the time the present rates were estab-lished distributive rates were equalized so that Lincoln dealers could receive and re-ship to Nebraska points at about the same rates as Missouri river shippers, but they cannot do so if local rates to interior points are added to Missouri river through rates. Plaintiffs will be compelled to close business in Lincoln and move to other more favorable

Plaintiffs show that when they notified

defendants that they proposed to appeal to the State Board of Transportation to equal-ize the rates, defendants secured an injunc-tion against interference by the board, leaving no other course than to appeal to the

Plaintiffs show further that defendants are members of the Western Traffic associa-tion, which is designed to restrict and interwith interstate commerce by maintain ing exhappitant and unjust rates by means of an agreement or conspiracy, and have abdicated their powers and duties as commo carriers and crippled their ability as agents of commerce and trade. Plaintiffs ask that defendants be restrained

from putting the proposed rate into effect.

WESTERN ROADS EXPLAIN

Why a Reduced Pare Was Refused Grand Army of the Republic Veteraus. Curcago, July 29 .- The objections by the western roads to the reduction of rates for the Grand Army of the Republic encampment have been explained today. They claim that they were acting solely with the view of protecting the interests of Chicago and the World's fair under the terms of the presidents' aggreement, adopted prior to the opening of the fair, namely, that no reduced rates through Chicago may be made while the World's fair is in progress. No action of the Western Passenger association can supersede the agreement. Consequently, had reduced rates for the Grand Army been agreed upon, they would have been available only through Peoria, Bloomington and St. Louis. The proposed basis would have made the rate from the Missouri river to Indianapolis through St. Louis, \$14.50, and through Deoria or Bloomington, \$14.70, while the heat Peoria or Bloomington, \$14.75, while the best rate that could be obtained through Chicago would have been \$18.15. As things are, the Grand Army men will be able to go to the encampment from the Missouri river through St. Louis and return by way of Chicago

The Rock Island road will open its new extension to Forth Worth, Tex., to passenger business tomorrow.

A call was issued today for a meeting of
the passenger department of the Central
Traffic association, to be held here Wednesday, August 1. The chief business to come before it is the consideration of applications for reduced rates, including rates for narvest oxcursions and weekly excursions to Texas points during the World's fair.

#### STILL RETRENCHING.

Two More Trains Abandoned by the Union Pacific Railway. Not satisfied with the wholesale reduction the operating department of the Union Pacific has already made, yesterday local trains Nos. 23 and 24, between Columbus and Grand Island, were pulled off, as well as abandoning the dispatcher's office at Gran: Island, compelling the Omaha office to work clear through, a distance of 291 miles. There is also some talk of discontinuing trains Nos 25 and 26, between Omnha and Columbus.

Balloon at 3 and 8, Courtland Beach SENATOR HILL MAKES A SPEECH. He Expresses Himself on the Currency and

Labor Questions. Utica, N. Y., July 29.-Senator Hill delivered an address today at Sylvan beach before the Hop Growers association. His subject was "Personal Liberty," and, in part, he spoke thus:

"In the realm of labor and in the domain of industry the principle involved in personal liberty cannot be too frequently asserted. The fact cannot be too strongly emphasized that every man's labor is his own and that he can do with it as he pleases. He has a perfect right to name his own wages, his own hours, his own duties and all the other terms under which he is willing to be employed, and if they are satisfactory to the one who hires, an agreement is reached and there is an end of the controversy between them. The contract is a personal matter, with which no other workmen or employes have a right to interfere. It is a bargain between two com-petent contracting parties and it is nobody's business but their own. They are free from the restrictions of any employer or employe, and are not subject to the control or dictation of any association or organization to which they do not belong, and to which they owe no allegiance. The consideration of relative rights of individuals engaged in labor pursuits, about which there ought not to be any dispute among well informed men, do not conflict with the obligations which workmen assume when they voluntarily join labor organizations, except in the matter of personal honor, which may be involved and which may require submission to the con-

clusions of the majority.

"The legal rights of such individuals unquestionably remain—the same, irrespective of the question of such membership. They always must be deemed to reserve the abstract legal right of repudiating such mem pership whenever they prefer to do so, their withdrawal only occasioning such minor forfeitures or penalties as reasonable by-laws might inflict. Their personal rights cannot be jeopardized.

In that view I fail to appreciate the anxiety of a certain learned jurist of another state, who, in a recent address, seemed to apprehend serious danger to the peace and welfare of our free institutions, occasioned by the manifestations of power and alleged defiance of authority on the part of certain labor organizations in the western states. "In my opinion the citadel of personal liberty in this country is in more danger of being undermined by the ill-considered opinions of some of its judges, straining doubtful points and involving quibbles in

favor of corporate power and creating lega factions to crapple the efforts of hones labor, struggling against great odds, to assert its dignity, than from all the arbi-trary demonstrations that were ever made by workingmen.' Speaking of "the tendencies of the times," Mr. Hill said: "The mercantile exchanges in our great cities are clamoring for relief

from laws which restrict their business in accordance with old-fashioned plans and notions; and they are seeking to have their contracts rendered as free as the air we breathe. The whole country is at last awakening to the impropriety of making our money metals a matter of merchandise by the government itself, and are hoping that a patriotic gress, soon to convene, will faithfully respond with promptitude to the demands of public sentiment in that regard. It is not to be inferred that all the efforts to which I refer to relieve business from existing legal and other restraints, are to be regarded as commendable or can be as cepted without serious question. Those who demand that money shall be free, that usury laws shall be abolished and the charge for the use of money shall be a matter of con-tract between the borrower and lender can hardly expect a ready acquiescence in their

Balloon at 3 and 8, Courtland Beach.

Closed Up Shop, St. Joseph, Mo., July 29.—The Equitable Accident Insurance company of Denver is not doing business in St. Joseph any more and the offices are closed. The local agents here are William Tater and Mr. Beavar. About two weeks ago Mr. Dodge, traveling auditor for the company, came to St. Joseph and took charge of the office, Beaver drop ping out. Tater, the other agent, went right on with his work until yesterday noon, and claims that, as far as he knew, the busi ness was to continue. At noon he went to dinner, leaving the business of the Equitable Insurance company in full plast. When he returned, an hour later, the business had ceased, the office was bare, and Auditor Dodge was nowhere to be found. The company has a large number of policies in the west, principally among working people.

Balloon goes up twice today.

Suit to Foreclose a Big Mortgage. MINNEAPOLIS, July 29.-The Metropolitan Trust company of New York has brought suit in the United States court at St. Paul to foreclose a mortage of \$3,220,000 on the Wisconsin, Minnesota & Pacific railroad be-tween St. Paul and Mankato and between Morton and Watertown, S. D., now operated by the Minneapolis & St. Louis Railway company. A default of \$600,000 in interest is charged.

Balloon 3 and 8 o'clock today.

# BANK ROBBERS' FINE WORK

How a Plainview Institution Was Wrecked Without Violence.

HAS COMPROMISED THE OFFICIALS

Three Thousand Extracted from the Safe and Suspension Forend-Condition as Explained by the State Blank Examiner.

LANCOLN, July 29 .- [Special to THE BEE.]-There will be many things connected with the suspension of the Plainview State bank that the officers will have some difficulty in explaining to the court before the matter is finally adjudicated. When the bank was opened by its officers last Monday it was discovered that something over \$3,000 had been taken from the safe since the Saturday previous. Owing to the loss of this amount of money the bank was compelled to suspend. The State Banking Board was notified of the suspension and R. H. Townley, clerk of the board, has been at Plainview all week, making an investigation into the condition of the affairs of the institution. His report was filed with the clerk of the supreme court today and the attorney general at once petitioned the supreme court to appoint a receiver.

The examiner's report raises some very

grave doubts as the correctness of the re-port that the bank had been robbed. There are many other suspicious circumstances about the affair. For instance, the examiner found that the discount register had been mutilated, and a great many notes held by the bank missing.

Examiner's Private Judgment.

In closing his report, Examiner Townley makes the following statement:
"There seems to be ample resources to meet all deposits and to discharge bills payable. The suspension was forced by the abstraction of \$3,391.78 from the safe. The books show that this amount was on hand on Saturday when the bank closed for the day. The money was gone when the examiner took charge. There was absolutely no evidence to show that any violence had been used to open either the bank building or the safe. The safe was either left unlocked. asea to open either the bank building or the safe. The safe was either left unlocked, which is improbable, or was opened by the proper combination. The only persons in possession of the combination were the president and the cashier. There was no written copy of the combination. No out-sider could have had any knowledge of the combination.

"The currency and gold were taken. The silver was left undisturbed. This fact, to-gether with the mutilation of the discount register, and the lack of evidence of forcible entry are circumstances which place the president and the cashier in unenviable positions. They both possessed the confidence of the community prior to the suspension.

"The president stated that the latch of the back door had been forced open and that he had repaired it with larger screws. This may have been true. There was no evidence either for or against this assertion." Something About the Bank.

The bank was a small one doing busin ess

in a one-story frame building for which it paid but \$10 per month in rent. It had no vault, but its safe was one of the standard make and had a time lock in good working order. The face of the books shows that the resources were as follows:

Notes and bills discounted.

Due from Omaha National, bank...

Due from Union National, Omaha...

Due from state banks........ .. \$15,847 53 Cash... Furniture and fixtures... Current expenses. Cash short from alleged robbery... Total ....

350 56 . \$20,407 71 The liabilities of the bank were as follows: Capital stock paid in ..... \$12,500 00 Surplus.
Deposits.
Bills payable. Total .... .... \$20,407 71

Both the president and the cashier claim to have no knowledge of the manner in which the discount register came to be mutilated. The mutilation of this book will play a most important part in the settlement of the bank's affairs, for the reason that there are several thousand dollars worth of notes due the bank. There will be no way of collect ing these notes and the presumption is that the records were muniated by the same knowing parties that robbed the bank. Of the loans and discounts shown by the regular books of the bank amounting \$15.847.53, the examiner found \$7.096.86; while the bank had placed notes to the amount of \$4.757.19 as collateral for bills payable, leaving \$3,993.48 un accounted for. Of the missing notes the examiner could find evidence of only one Γ. Hecht, one of ≿he stockholders, admitted that one note for \$500 was given by him. Mr Hecht also acknowledged that he had sold notes to the amount of \$1,924 to the Omaha National bank. This amount he claimed to have taken out of the assets, leaving the total amount of missing notes at \$3,493. The bank had a capital of \$12,500, divided an bank had a capital of \$12,500, divided among the following stockholders: J. F. Hecht, president, sixty shares; John Roush, vice president, sixty shares; E. E. White, cash-ier, five shares; H. T. Hecht, sixty shares. The examiner estimates that the assets will show a shrinkage of \$11,301.73, leaving the net assets at \$8,671.25. He gives it as his opinion that the depositors will be paid in

Burt County Affairs. TERAMAH, July 29 .- [Special to THE BER. -The Burt County Teachers institute closed a two weeks session today. The attendance has been about ninety during the whole time and much interest was manifested. During the session there were seven lectures give by prominent educators about the state.

The recent failure of the bardware firm of

Wilson & Sutherland has proven worse than was first supposed. The liabilities are nearly \$14,000, with assets about half that amoun Mr. Wilson is the present county treasurer and the financial affairs of the county are not in the least affected by the failure. Mr. Wilson will finish up his first term in January and will quite probably be renominated by the republicans for a second term. Mr. Sutherland represented Burt county in the state senate in 1889. The Burt County Veterans Association will

meet in Tekamah on Wednesday, Thursday and Friday, August 9, 10 and 11. Extensive preparations have been made for the oc-casion and prospects now are that it will be the best reunion in the history of the association Approaching Nebraska Picules.

McCool Junction, July 29. - [Special to THE BEE. |-The second annual picnic of the Wood Choppers Picnic association of the Fourth congressional district will be held as McCool Junction Phursday August 24. Arrangements are being made for a grand Woodman celebration. Good speakers will be in attendance. A round trip rate of one and a third fare has been made on all the railroads in the district. From 5,000 to 7,000 people are expected to be in attendance.

Shelton, Neb., July 19 11 Special to The Bee. —Anchor lodge No. 14, Ancient Order United Workmen, has made arrangements for holding a grand picture at Shelton, Neb., on Wednesday, August 23, to which all the Ancient Order United Workmen lodges of Buffalo and Hall counties are invited. This is to be one of the greatest events that this order has ever witnessed in this part of the state and no pains are being spared to make it a grand success. it a grand success.

Sudden Death at York. YORK, July 29 .- [Special Telegram to Thi BEE |-Judge Wells, father of Mrs. C. C. Cobb of this city and H. M. Wells of Crete. dropped dead today while working in his yard. Mr. Wells was an old and respected citizen of this city and his death casts a gloom over the community.

Discussed Finance. FREMONT, July 29.- [Special Telegram to THE BEE. |-Hon. J. E. Frick addressed a very large and intelligent audience at the city park tonight on "Finance." He essayed prove by the statistics of the o metals that the present parity and not be maintained with safety

to the government. He favored the absolute free coinage of American silver, but late free coinage of American silver, but he would put 100 cents worth of standard sliver in a deliar and make it a legal tender for all debts, public and private, regardless of contract, and he would compel foreign nations to pay their custom duties in gold. He was attentively listened to and generously applauded.

AUTIVITY AT CAMP LINCOLN.

Superior People Prepared to Entertain All Who Attend the Reunion. SUPERIOR, July 29. - [Special to THE BEE.] Delegations without numbers are already securing quarters at Camp Lincoln. The seven lines of railroads are pouring in supplies and attractions of all kinds, and no time in the history of this organization has there been so great attractions and such flattering prospects for a successful reunion

An inspection of the various attractions confirms the belief that everything will be first class and conducted on a magnificent scale. The arrangement of this beautiful camp cannot be surpassed. All the details are being carefully noted by the various committees and being tastefully arranged. A large committee of the ladies of Superior are superintending the linishing to sches in the line of decorations. The supply of city water has been admira-bly arranged by placing four large fountains

and reservoirs in accessible places in camp. Nothing seems to be left undone to make the encampment a success, and especially to care for and entertain all who come. The rains here the past few days also add mate-rially to the success of the reunion.

BANK PRESIDENT ARRESTED. Adjutant General James D. Gage Accused

of Crooked Work. FRANKLIN, Neb., July 29 .- [Special Telegram to THE BEE.]-James D. Gage, president of the State bank of Franklin, which recently closed its doors, was arrested today on a warrant sworn out by J. W. Robin son, charged with receiving deposits when the bank was insolvent. The preliminary trial will be held Monday. The charge is the same on which Cashier Douglas is now in jail. There is a vast amount of crookedness alleged to have been connected with the failure. Other warrants will be served for embezzlement and conversion of bank funds. Mr. Gage is a pioneer of this county and enjoyed the fullest confidence of the people. His appointment as adjutant general of Nebraska by Governor Crounse was regarded as one of the best.

Rushed Through Without Food. HASTINGS, July 29. - [Special to THE BEE.] -Two more delegations of Colorado tourists passed over the Burlington last night on their flight east. By some mischance the city authorities were not notified of their arrival, and so no food was given them. These are the first ones to be omitted in the hospitality of the city, and it was merely an oversight which sent the forty on their way hungry. So far the city of Hastings has motorized over 250. entertained over 350. Active work has been started in the de-

molition of the condemned Hoeppner build-ing, which for some time has been a source of danger to all passers by. This building is a landmark, being the first brick block erected in Hastings. Still, in its present condition, all will be giad to see it removed. Rev. F. S. Spalding of Denver, principal of the Jarvis Hall Military academy, offici-ates at St. Mark's Episcopal church tomor row, speaking on "Christian Education." The Hastings Cycle club races last night were well attended, but on account of the condition of the track no records were broken. Wanzer won the quarter mile, Duer second—:3714. Mosher won the half mile boys' handicap, and Landis the mile in 2:4844, Wanzer second, and Jacobson, with nearly two laps, the two-mile handicap.

Grand Island's decaion. GRAND ISLAND, July 29. - [Special to THE BEE. ]-Chairman George P. Dean of the reunion committee made a trip to Lincoln yes terday in the interest of the reunion and called upon Adjutant General Gage, who has promised to assist in every possible way to make Grand Island's coming reunion and the encampment of the National guards a success. Mr. Dean also had a talk with the commandant of the Nebraska department of the Sons of Veterans, W. B. McArthur, who was very enthusiastic and vouchsafed that the Sons would make it decidedly interesting as far as their attendance at the reunion and their participation in the sham battle was concerned. He stated that at least 500 Sons of Veterans would attend the reunion and a sufficient number of tents will be reserved for their use. Chairman Dean billing the whole state and is working with a vim that is bound to bring crowds.

Ord Notes and Personals. ORD, July 29 .- [Special to The Bee.] -- Mr A. C. Lockridge, while on a visit to his farm fell and broke his arm.

Mr. Adam Smith left Wednesday for th World's fair. While east he will visit his old home in Indiana.
The ministers of the Methodist Episcopal Baptist and Presbyterian churches will unite in union gospel temperance meetings on the evenings of July 30, August 6 and

Lattle Owen, the 8-year-old son of Mr. J R. Beauchamp, met with a painful accident Tuesday evening. While sitting with two other children in the back seat of a wagon it became loose and tipped back, throwing them out. The others escaped, but Owen had his arm broken.

Arrested a Desaurter.

GRAND ISLAND, July 29 .- (Special Telegram to THE BEE. ]-The bondsmen of the defaulting city treasurer, John W. West surrendered him to the sheriff this afternoon and he now occupies a cell in the county jail. His sureties, for some reason, became frightened. Efforts will be made to secure another bond. West has two brothers in the state who will no doubt come to his rescuand secure his release.

Bryan's Chadron Audlence Chadron, July 29. - [Special Telegram to THE BEE. ]-A crowd of about 700 listened to Congressman Bryan deliver one of his bimetallism speeches at the opera house today. The affair was a nonpartisan one, in charge of the leading bimetallism advocates of this sec

tion. Mr. Bryan made a convincing talk and seemed to have an audience that was in full sympathy with him. He left tonight Heavy Corn Crop. HEBRON, July 29.-[Special to THE BEE.] Another heavy rain has visited this county and this, coupled with that of a few day ago, allays all fear that the corn crop will not be one of the largest crops since the crop of 1888. These rains have enthused all

business. Small grain is all harvested and most of it is in the stack, some having already been threshed, making a good yield. Enthusiastic Religious Workers. Penu, July 29.—[Special to The Bee.] Rev. Mrs. Reed and Miss Foster have began a series of meetings in a tabernacle erected on Sixth and Conkle streets. They claim to represent the Holiness sect and intend visit-ing every bouse in Peru sometime during their stay. They have proclaimed that they will convert the whole town to the Holiness doctrine.

York's Water Works Plant Sold. YORK, July 29. - [Special Telegram to THE Beg. ]-The York water works plant was sold today under a mortgage by an order from the United States court. The bidders were James Daniels of St. Louis and S. H. Sedgwick of this city. It was purchased by the the latter for \$23,050.

Injured in a Runaway. PLATISMOUTH, July 29.—[Special Telegram to THE BEE. |- Frank Plak, an aged Bo hemian, was seriously injured in a runaway this morning. A wagon wheel passed over his chest, causing internal injuries which his physician fears will prove fatal Did Not Open for Business.

cial bank, capital \$50,000, did not open this morning, having been placed in the hands of a receiver. F. C. Alien, said: "There are slight runs on other banks, but they are perfectly solid." Knew the Bank Was Insolvent. Boston, July 29.-A special from Man

chester, N. H., says: Disclosures today

EAU CLAIRE, Wis., July 29.—The Commer

tend to show that Cashier Morrel knew the worst and ran away rather than face the in addition to the \$30,000 worth of doubtful paper which has been thrown out of the Decryfield Savings bank, there is from \$10,000 to \$13,000 due depositors. It is now thought the deficiency of the bank may go to \$100,000. President Burne stated today that Mr. Morrel's name is a small state. that Mr. Morrel's name is on paper largely in excess of the limit allowed by law.

Balloon at 3 and 8, Courtland Beach.

WASHINGTON BUREAU OF THE BEE, ) 513 FOURTERSTE STREET. WASHINGTON, July 29.

Matt Miller of David City, Neb., whose presence in the city was noted in last night's dispatches to Tue Bue, has been here several. weeks, it seems, under cover, looking after the United States district attorneyship for Nebraska. He left today for Boston. He says the absence of Secretary Morton from Washington at this time has put a quietus upon ail Nebraska appointments. He does ot expect any Nebraska appointments until after congress reorganizes.

Interested Washinton Democrats, Among eastern democrats today the an-

nouncement of the retirement of Governor Boies from politics has been discussed with grave interest and much surprise was ex pressed. Up to the announcement today of the governor's retirement from politics there has been a general belief among both democrats and republicans that he would be the nominee for governor again, but now that he is out, gossip has found a satisfac-tory reason for his voluntary returement in the fact that the governor has lost his popularity among Iowa democrats to a great ex-tent, and were he to be renominated there is reason to believe that he would be weaker with his party than ever before. The rock on which the governor grounded was the federal patronage.

Soon after election he publicly proclaimed the fact that he would endorse nobody for federal office, claiming that he was under equal obligations to all of his party follow-

The lowa office seekers acquiesced in this action of Governor Boies with some mis-givings. That their suspicions were justified was shown later by the fact that the governor secretly gave his endorsement to a num-ber of democratic applicants. A notable in-stance was that of Ashby of Cedar Rapids, state lecturer of the farmers alliance, and a populist who was appointed consul to Dubin. Some Iowa democrats of prominence claim to have positive knowledge that the governor asked Assistant Secretary Quincy through National Committeeman Richard-son to appoint Ashby. In other instances he quietly intervened to control lows patronage. The intense feeling among lows demo-erats against the governor because of this, it is said, undoubtedly impressed him with his unpopularity and influenced his unlooked for retirement from politics.

News for the Army. The following army orders were issued

Leave of absence for seven days to take effect August 5 is granted Captain Thomas M. K. Smith, Twenty-third infantry, recruit-Special orders of July 18, directing Major John J. Rodgers, First artillery, to proceed to Fort Canby, Wash., on official business, is amended to direct him to proceed to the post named via Vancouver Barracks, Wash., and to report eurouto to the commanding ger eral Department of the Columbia.

Leave of absence granted Captain George A. Drew, Third cavalry March 17, is exended two months. Leave of absence for eight days is granted aptain Nathan S. Jarvis, assistant surgeon. Leave of absence for two months to take effect August 10, is granted Captain Edward

C. Carter, assistant surgeon.

Leave of absence granted Captain Frank
West, Sixth cavairy, July 17, Department of
the Platte, is extended one month.

Leave of absence granted First Lieutenant
Melville S. Jarvis, Fourth infantry, July 13,
Department of the Columbia is extended to Department of the Columbia, is extended to include September 15, 1893.

Leave of absence for one month and twenty days, to take effect upon the comple-

tion of his duties at the Bellevue rifle range, is granted Second Lieutenant John B. Bennett. Seventh infantry.
Captain Walter D. MacCaw, assistant surgeon, will be relieved from duty at Camp Pilot. Butte, Wyo., and will report in person to the commanding officer of the presidio of of San Francisco, Cal.

of San Francisco, Cal.

First Lieutenant John H. H. Peshiner,
Thirteenth infantry, is relieved from duty
at the Ohio Normal university at Ada, O., and will join his company September 1, 1893. First Lieutenant George W. Burr, ordnance department, will make ten visits of such less number as may be necessary, not exceeding two per week, to the works of the Sterling Steel company, Demmler, Pa., and six visits, not exceeding two per week, to the works of the Carnegie Steel company of Pennsylvania on official business pertaining o the ordnance department. Colonel Robert H. Hall, Fourth infantry,

is authorized to assist the Chattanooga and Chicamauga battlefield commissioners of the state of New York in their duties and in so doing to proceed to Chicamauga, Ga., Chattanooga, Tenn., and Washington, D. C.

Miscellaneous. J. C. Morgan of Kearney has applied appointment as special treasury agent. wae formerly editor of the Council Bluffs Globe and held the office of postmaster at Kearney under the former Cleveland administration.

PEPPERING HIGHWAYMEN.

Fort Scott Citizen Gives Ideas on Train Robbers.

A prominent citizen of Fort Scott Kan., who evidently believes in the utter extermination of train robbers and has some ideas as to how it should be done, has given those ideas to the Missouri Kansas & Texas railroad in the hope that it might make an experiment along the line of the ideas advanced. letter is out of the ordinary, and with a view of making known the advantages of the system of train robber warfare contained in the letter the Missouri, Kansas & Texas has consented to its publication. It reads:

TO THE GENERAL MANAGER OF THE MIS-SOURI, KANSAS & TEXAS RAILEGAD: Dear

Sir-Some weeks since I was a passenger on one of your trains with a ticket from Fort Scott to Houston. We took supper at Vinita and were held up an hour later at Priors Creek station. Therefore this letter. From the commencement to the end I took considerable interest in the proceedings. I ob-served that few exhibited fear, the dominant sensation being curiosity. I observed that the robbers were not only poorly organized, but had more or less apprehension about resuits to themselves, the fellows at our car ontinually crying to those in front: ain't you about through up there?" and "For Christ's sake, won't you ever get through up there?" and "What in h-1 are you fellows doing up there?" and so on all through the "job." I observed that the first shot fired by the express messenger put out all the lights in the car (this on his statement). Now, my observation leads me to the conclusion that if your company will run a 24-inch strip of boiler iron around the bodies just below the windows of your cars, put four or five Winchesters in each car just above the windows in glass-covered boxes just as you do axes and saws, marked "For Emergencies," post up notices in each car offering a reward, in advance, of say \$200 or \$300 apiece for "fresh dead train robbers," I think you will see the meekness and apathy of the ordinary to-be-robbed passenger disappear and the American public will take care not only of itself, but of any stray robbers "caught in the act" along the line of the Missouri, Kausas & Texas. The average traveling American thinks he

has been robbed enough by the time the rail road and the sleeper company have both had a whack at him, and if you have any fear of his being the indirect cause of noncombat-ants (women and children) being hurt in the shuffle (by using the boiler iron) put the weapon in his hand and the majority of him weapon in his hand and the hajority of him will act on his "man."

Add the more mercenary and, perhaps, more desperate fellows, who would be de-lighted to kill a train robber and make a hundred or two, and you will have ample

protection on every train. Why I would not be much surprised to learn that many train robbers had "quit the road" and gone gun-ning for their crstwhile comrades. Hoping there may be something new to you in my suggestions, and assuring you that it does make a man mad to be robbed, and believ-ing that with a fair chance any man will fight I re main yours site. fight, I re.nain yours, etc.

Balloon 3 and 8 o'clock today.

## EXHIBITORS FINDING FAULT

They Make a Vigorous Complaint to the World's Fair Directors.

NO INTEREST TAKEN IN THEIR DISPLAYS

Poorly Ventilated Buildings and a Worse Elevator Service Given as a Cause-The Fair Will Be Open Today -Exposition Notes.

Curcago, July 29.-The Associated American Exhibitors have arisen in revolt against the inaccuracies of the official catalogue, issued under the auspices of the exposition. They have issued a sharp letter to the publishers, Conkey & Co., which is to be followed by a protest to the director general if a corrected edition is not forthcoming.

Irish members of the police and fire department competed in running, walking, sack and wheelbarrow races at the Irish village today. There was also the usual jig dancing. The sports of old Ireland have proved such an attraction that it has been necessary to enlarge the vilinge bounds.

Exhibitors Make a Kick. At 1 o'clock today the national commission suspended regular proceedings to allow a number of gentlemen, representing the American Exhibitors' association, to discuss with the commission the best means of creating more interest in exhibits and to ask for better facilities for visitors to reach the galleries of the various buildings and for better ventilation.

President Pangborn of the association was the first to address the commission. He ex-plained that owing to the lack of elevators for visitors to the fair few went up into the galleries of the buildings. There was a great lack of ventilation, and in some of the buildings, more especially in the galleries the air was almost stifling. He complained that on this account the grounds were frequently crowded with people while the buildings were almost empty. "The dancing girls on Midway plaisance," he said, "the seum of the brothels of the Orient, attracted more attention than the great Manufactures and Lib-eral Arts building. This should not be so. Something should be done to induce the vistors to visit the exhibits. He thought if there were plenty of guides to show visitors

through the buildings, more interest would be taken in the exhibits. Director General Davis replied in behalf of the exposition management. He said if the exhibitors had such grievances as those of which Mr. Pangborn spoke they should have formulated them and sent them either to him or the council of administration. I'he exposition company was anxious to please the exhibitors and would do all it

The commission then resumed the regular order of business, but nothing of importance was done. Will Open Today.

The World's fair weather continues as fine as could be wished, the skies clear, temperature comfortable and a bracing breeze from the lake. Those in attendance at Jackson park today enjoyed themselves to the The fair will be open tomorrow. This de-

cision was reached last night at a meeting of the council of administration, when a long the council of administration, when a long set of resolutions was adopted reciting the proceedings in the Clingman injunction suit and finally ordering that the World's Columbian exposition shall be opened to the pub-lic on Sunday next. Next week it is hoped he matter will be definitely and finally set-

Next week promises to be a lively one at the fair, every day being taken for the special exercises of some country, state or organization. On Monday the engineers will take possession of as much of Jackson park as they can cover. New South Wates will have the run of things on Tuesday and on Wednesday the National union will have a program at the fair. Thursday is Russian day and on Fri-

plaided warriors and dames. California Pioneers' day is set for Saturday and their exercises will wind up the week

day the park will be given over to Scotland's

An Objection from Pennsylvania. The council of administration received this afternoon the following telegram: this afternoon the following telegram:
PITTSBURG, July 29.—To the Council of Administration: Any possible contempt of court in closing the World's fair tomorrow will be a trille to the cost of incurring the everlasting contempt of the country for inefficiency or trickery in the recent dealings with such an injunction, if it results in even one re-opening. On behalf of national Sabbath closing committee.

WILBURF, CRAFTS, Chairman.
S. H. GEORGE, Secretary.

"The people who sent that message certainly cannot understand the situation we are in," said President Higginbotham. "They think we are tricking with the Stein injunc-tion, and are immodest enough to say so. They seem also to think that it would better for all of us to go to jail for disobedience of that injunction than to incur their displeasure by keeping the World's fair open. In other words, these Christian people do not want us to obey the law. They want us to still further disobey the mandate of the courts. It would seem to be every one's duty to support us in the obedience of the law rather than to counsel any more infractions. It is probable that Judge Stein will punish us for what we have done already. I shall be disappointed if he does not. Certainly, if I were in his place and he in mine I should visit some punishment on him."

## THE BAGGAGE SMASHER.

Three Cheeriul Little Stories Recalled by

Middle Aged Citizen. "I look in vain in the literature of the day," said a middle aged man to the New York Sun, "for stories of the baggage smasher, such as were current thirty or forty years ago, which used to interest me very much. Who that is old enough cannot recall the story of the baggage master and the circus man's snake? The circus man's trunks, it will be remembered, had been at one time and another pretty roughly handled, and so one day he got a rather flimsy trunk and put in it a boa constrictor twenty-two feet long, and he marked on the outside of the trunk:

'Don't break! Boa constrictor inside.' "'Oh, I've just been waiting for some body to ship a boa constrictor by this line,' said the baggage smasher, and he grabbed the trunk by one of its handles, intending to toss it over his head, but he vanked with such sudden energy that he pulled the handle off. Then he kicked the trunk over, the other end up and grabbed it by the other handle, lifted it and dropped it and smashed it wide open, and there was a snake in it, and the snake came out and uncoiled himself, and when he coiled himself up again he was around the baggage master, and --

"The baggage master never checked any baggage after that. "Another story told of the tribula-tions of a traveler whose trunks had been smashed and how finally he filled

a big trunk with dynamite and marked 'Handle with care! Dynamite!'
"'Dynamite---!' said the baggage master, with fine seorn, and he pulled the trunk down from the top of a high pile and let it fall on one corner and-"He never returned.

"Then there was the story about the angered traveler who placed upon the corners of his trunk patches of some material so clastic and springy that if you dropped the trunk hard it bounded into the air thousands of feet. trunk came to the station on the mit of a great load of trunks, and the baggage master seized it by the handle, braced one foot against the load and pulled the trunk off and let it fall on one corner and—

"It never came back. "And the owner sued and recovered for the loss of his trunk.

Balloon at 3 and 8, Courtland Beach.