unions to split, when in fact none of the members had enough religion to analyze. This country has no place for religious

DIFFERENT KINDS OF JUDGES. I do not wish it to be understoof that I believe all judges to be dishonest, as we have many honest men wearing judicial ermine, but it cannot be successfuly denied that several of the judges are conniving with the corporations to make slaves of the free American people. If the employes of a railroad company can be prevented from eeting to try to prevent their wages from eing cut why cannot the owners of the railroad be prevented from holding meetings devise some means to reduce our wages, do not think that any one is expecting that Judge Dundy will issue an order to pre-vent the owners of the Union Pacific from holding meetings, and it is a poor rule that rill not work both ways. The labo self, and until the majority of the people are educated so as to cast intelligent hallots they are sure not to get much relief from the government. The sacredness of the American ballot should be carefully considered by every voter and in the ballot can be found relief from the ills of which labor complains. The liberties of the American workingmen should be carefully guarded and I cannot see why the libertles of the Union Pacific employes should not be-looked after now. I think that it is possible for the employes of the Union Pacific to have the talked of decision modified and that the object is surely worth the effort. The men who are now having their wages reduced will have them still further reduced if this order of the court is allowed to stand as it is at present. All the power in the hands of the employes should now be exercised to prevent, in some legal way, this court order from going into effect." After Mr. Debs concluded about fifty of employes of the Union Pacific came forward and joined the new organization The following telegram was received by It was read amid great applause, and addened the hearts of those present;
DENVER, Colo., Feb. 8, 1894.—L. J. Ihm.
Dmaha., Neb.; We wire Dundy's order
nocked out. (Signed) J. U. CORBIN.

DEB'S ON DUNDY'S ORDER

Says it Must Not Go into Effect-More Far-Reaching Than All.

Eugene V. Debs, president of the American Railway union, was asked by a Bee reporter last night what action his organization was likely to take regarding the present trouble on the Union Pacific system. "The executive board of the American

Railway union," said he, "will call a meeting at some central point on the system. most likely at Cheyenne, as soon as it will be convenient. The fact is I have just got on the ground and have not exactly made up my mind what is to be done first, but all of the unions are send delegates to this meeting. and I have requested that each delegate receive instructions from his organization so that every representative will thoroughly represent the union that sends him. What will be done at this meeting I cannot now say, as it would be mere speculation, but I am well satisfied that every move we make will be well considered and that we will undertake to settle our trouble, if possible, without a strike. Strikes have often been III-advised, and we do not want to precipi tate a strike if we can settle the trouble without, but there are yet too many free men on the Union Pacific system to be cowed down like slaves, and when any court thinks make slaves of them the court is greatly mistaken.

"I believe that Judge Dundy will yet be compelled to reconsider the order he has issued and he is no doubt now inclined to get at of his present predicament the best way can. His letter writing amounts to nothing whatever. His interpretation of the order amounts to nothing because the order still stands as before, and is plain enough for any man who can read the Eng-

lish language to interpret. We will yet convince that workingmen have some rights that must be respected, and that we have the intelligence to know when a court undertakes to reduce us to slavery at the dictation of a correction. tion of a corporation, I consider Judge Dundy's order the most farreaching of any corporation written order signed by any United States judge. It must not be allowed to go into effect. I tell you it must not be tolerated, or decision after decision will be rendered just as wicked until all of our liberty will be lost. I am receiving great encouragement on all sides and do not feel that we will lose this fight. We have right on our side and we have the courage and patriotism to stand by the

IN FAVOR OF THE GULF.

Decision Yesterday by the Denver Judges in the Union Pacific Cases

DENVER, Feb. 8 .- Judges Hallett and Riner in the United States court, made the following order this evening in regard to matters in dispute between the Union Pacific receivers and the receiver of the Denver & Gulf system:

ver & Gulf system:

First—The amount due from the Gulf company and its constituent companies for interest on bonds accruing from July 1, 1893, to October 13, 1893, is a charge of a general nature against the Union Pacific company under the contract of April 1, 1890, to which no priority or preference can be given at this time, and, therefore, the receivers of the Gulf company cannot now call on the receivers of the Union Pacific company for any part thereof, except as stated in the next paragraph.

company cannot nowcall on the receivers of the Union Pacific company for any part thereof, except as stated in the next paragraph.

Second—If any part of the earnings of the Guif company from July 1, 1893, to October 13, 1893, came to the bands of the receivers of the Union Pacific company after their appointments as such receivers, they must account for and pay over to the receiver of the Guif company all moneys so received by them. Third—The receivers of the Union Pacific company must account for and pay over to the receiver of the Guif company, under the contract of April 1, 1890, the amount accruling for interest on the Guif company's bonds and its constituent companies' bonds from October 13, 1893, during the period for which the receivers of the Union Pacific company held possession of the Guif company's lines.

Fourth—Interest accruing on the Guif company held possession of the Guif company's lines.

Fourth—Interest accruing on the Guif company is bonds and on the bonds of its constituent companies after the property of that company's bonds and on the bonds of its constituent companies after the property of that company is a charge of a general nature against the Union Pacific company, to which no priority or preference can be given at this time.

Fifth—The contract of April 1, 1890, and the agreements made in pursuance of it remain in full force and effect, as stated in the next paragraph, and the receivers of each of the companies parties thereto shall observe and fulfill the salid contract and agreement in all respects until the court shall otherwise order or direct.

Sixth—All agreements and stipulations in any of the said instruments relating to a division of earnings in respect to business interchanged between the companies and payments to be made for the use of tracks and the like are suspended. The court will hereafter determine upon proper application what shall be paid by either company to the other for and in respect to such hatters.

Seventh—This proceeding is referred to Marshall E. Johnson

SERIES TEN. FEBRUARY 9, 1894. THE BEE COUPON. World's Fair

Art Portfolio.

To secure this superb souvenir send or bring six coupons of this series bearing different dates with 10 cents in coin to

ART PORTFOLIO DEP'T., Bee Office, Omaha.

ments in their possession bearing on the ques-tions hereby referred to him. This decision is a victory for Receiver rumbull. Mr. Thurston of the Union Pacific gave notice of an appeal.

SOMEWHAT MISLEADING.

Rates on Pacific Coast Business May Cause Trouble Yet. The telegram from Chicago regarding the Union Pacific rate question is somewhat misleading in view of the fact that the present basing rate of \$15 via Portland was agreed to by the transcontinental lines on the opening of the Midwinter rates. The Union Pacific so far as is known, is maintaining its rates, and will continue to do so until the northern lines comence to show a disposition to break away from their moor-

ings, in which event the "Overland" will undoubtedly be in at the death. For years it has been the custom to fix basing rate on round-trip tickets via Portland, the present round-trip rate of \$65.50 being only by direct lines, \$15 being added on tickets reading via Portland. For several years the basing rate was \$20, but when the Midwinter fair rates went into effect \$15 was fixed as the basing rate via Portland,

and it is in effect now.

As to the Union Pacific being a member of the emigrant pool, the assertion is detiled at headquarters, although it is well known all business which he regards as trollable." This business was placed in the hands of the eastern representative of the Union Pacific, Richard Ten Broeck, but when the question of commissions came up, Mr. Ten Broeck demanded the same commission as would have been paid to Peter McDonnell, but the executive committee of the emigrant organization refused to allow any commissions to the Union Pacific representative, which has raised considerable of a row in eastern railroad circles. It is this and other things which make: Mr. Lomax's life not a happy one.

STATE'S DIGNITY AT STAKE.

Lewelling's Reply to the Parsons Delegation Concerning "Katy's" Charter.

TOPEKA, Feb. 8 .- Governor Lewelling has written a letter to the Parsons delegation who recently came to Topeka in a special train to petition for the dismissal of the suit brought against the Missouri, Kansas & Texas railroad by the state for the forfeiture of the charter of the road. The letter is addressed to Hon. Lee Clark and others. The governor says:

"If the facts are as the petitioner states, then neither Parsons nor the company can be injured by reason of the suit. I am disposed to let the court pass upon it without any interference on my part. While I am willing to take into consideration the feel-ings and wishes of the people of Parsons and vicinity, I hope that I may be permitted to state that it is not the interest of the people of Parsons alone that is involved in this conroversy. It is the sovereignty and dignity The state cannot permit corporations created by its laws and fostered and supported by its people to set its laws at defiance with impunity.

MORE TROUBLE.

Things Becoming Mixed in Western Passenger Association. CHICAGO, Feb. 8.-There was more

trouble at the close of the meeting of the Western Passenger association today. The committee which has been considering the Canada Pacific's acts requested more time The meeting then took up the merits of the \$45 rating from the Missouri river to Pacific coast points, which was put into effect about a week ago by the Union Pacific. A resolution was introduced for plac-ing all rates on the \$45 basis, but it was defeated after a hard struggle. The Alton and Milwaukee & St. Paul at once gave verbal notice that they would accept the \$45 rate from the transcontinental connections and would sell tickets accordingly, beginning February 12. The Chicago & Northwestern immediately issued a written notice declaring its intention to put in effect the same rates, beginning tomorrow morning. The Atchison issued no notice, but will doubtless lose no time in putting in the rates.

ROA TED RECEIVER OAKES. colonel Pettit Accuses the Ex-President of

Squandering the Road's Cash. MILWAUKEE, Feb. 8 .- Colonel Silas W. Pettit occupied the attention of the court in the Northern Pacific case today, He assailed the administration of Receiver Oakes while the latter was president of the road. He said that the syndicate which acquired the Northern Pacific & Manitoba line sold it to the Northern Pacific and cleared \$1,000,000. He also said that \$9,000,000 were squandered in terminals at Seattle. In the case of the Rocky Fork & Cook City line he said the company had paid \$4,000,000 for a road worth only \$800,000 in order to reach a coal mine worth \$209,000. Of the Seattle Lake Shore & Eastern which cost the Northern Pacific \$2,000,000,

WILL KEEP UP THE FIGHT.

Colonel Pettit said there was only a mile

and a half of the line left, the rest con-

Attempt to Restore Chicago-Kansas City Grain Rates Falls.

sisting of rusty iron.

KANSAS CITY, Feb. 8 .- Some time since the Santa Fe inaugurated an open rate of 9 cents on wheat and 8 cents on corn. Kansas City to Chicago, the road claiming that these rates were being secretly made by the other roads. Lately the road has been taking steps to return the rates to their original -25 cents on wheat and 20 cents on corn. The Santa Fe desired the other roads to enter into an agreement to adhere to the old rates, but they refused to do this. The fight, therefore, will be continued, and it is likely that it will be prolonged indefi-

Conferring with Receivers. MILWAUKEE, Feb. 8 .- A conference between the employes and receivers of the Northern Pacific road in regard to the recent cut in wages is now in progress at the St. Charles hotel. The workmen are represented by delegates from every railroad organization, including Chief Arthur of the Brotherhood of Locomotive Engineers, Chief Sargent of the firemen and Grand Chief Ramsey of the railway telegraphers. men are making their argument today. conference promises to last through the day and may be continued tomorrow.

The Sentinel tomorrow will say that the Northern Pacific receivers have determined to accept the modified wage schedule asked for by the employes today. It is believed the whole matter will be settled by tomorrow evening, and practically everything the men asked for will be granted. Decided Against the Railroad.

ST. PAUL. Feb. 8,-An important decision was handed down in the district court today, Judge Brill finding a decision in the case of the Great Northern & Manitoba railway against the city of St. Paul and others, in which he decides that the city is the owner of lower Broadway and that it may build the Broadway bridge upon the

proper condemnation proceedings being had. The fourth big bridge across the river may

now be finished Will Use Its Own Depot. ST. LOUIS, Feb. 8.-The Chicago, Burlington & Quincy railroad has officially announced its intention of running all its trains into its own depot here at Second and Mullanphy streets, and this depot has been accordingly enlarged. It is now be-lieved the Burlington and the lines coming into the city over the Missouri and Mississippi bridges will remain independent of the Union depot company.

Meeting of the T unk Lines.

NEW YORK. Feb. 8 .- A special meeting of the Trunk Line association was held here today. The proposition and agreement prepared at a recent meeting of the freight agents, without reference to the establishment of a uniform freight rate for all lines in the Trunk Line association, was considered, but no final action taken.

One word describes it, "perfection," We re-fer to De Witt's Witch Hazel Salve, cures

British Naval Officers at Rio Asked to Follow Benham's Example.

PRAISE FOR THE AMERICAN ADMIRAL

English Ship Owners Demand that Their Forces in Brazilian Waters Follow in His Footsteps-Words of Commendation from a High Official.

LONDON, Feb. 8 .- Secretary Bertle of the foreign office, representing the earl of Rosebery, secretary of state for foreign affairs, received a deputation of British ship owners today, who urged that the British commander at Rio de Janeiro be instructed to see that all British vessels were enabled to discharge their cargoes at the wharves without molestation. The deputation of British ship owners spoke in the warmest manpossible of the spirited action Rear Admiral Benham of the United States navy, who, they said, set an example to the naval commanders of all foreign nations in freeing in such a brilliant manner the American ships at Rio de Janeiro of the obnoxious restrictions imposed

on them by the insurgents of Brazil.

Secretary Bertie in reply said the secretary of state for foreign affairs would see if it was possible to instruct the British commander as requested by the delegates. Finally, Secretary Bertie, referring to the action of Admiral Benham, warmly praised the American admiral for the stand he had taken, saying he had evidently brought about the desired end, and he had success fully accomplished what his more cautious colleagues shrank from doing.

WANT HIM REMOVED.

Stringent Measures Asked to Be Taken Against the Governor of the Cameroons. BERLIN, Feb. 8 .- In the Reichstag today luring the discussion of the colonial estimates, Prince Arenberg demanded the removal and punishment of Governor Leist of the Cameroons colony, who, the prince said, had disgraced the German name in the Cameroons. Dr. Kaisar, director of the colonial department, said that if accounts received in Berlin from the Cameroons, charged the governor with flogging women, were true, Governor Leist would be severely punished. Dr. Kaisar added that a commission had already been dispatched to the Cameroons in order to inquire into the af-

Herr Bebel denounced the despotism of overnor Leist in vigorous terms, declaring nothing within the decade had excited such universal indignation as the flogging of women by the German official. universal Later Dr. Kaisar admitted that the Da-omeyans had been bought, but, he added, the government immediately ordered their

The Tageblatt publishes a letter from the Cameroons, dated January 4. It gives the details of the recent troubles and says only two rebels were hanged. It said it was feared the Dahomeyans remaining in the bush would cause further trouble. revolt, the writer said, had undone a year's work. It was impossible to hope for the prosperity of the colony until the present incapable regime was abolished and replaced by men who were able to cope with a difficult situation. A letter from Windhoereck, dated Decem-

ber 27, says that the military operations against Witboer were without any appreciable sign of success.

There is No Immediate Prospect of Favorable Legislation

SILVER IN INDIA.

LONDON, Feb. 8 .- In an interview with the principal submanager of the principal bank doing business with India today in regard to the silver situation and prospective legislation, the latter said that the directors of the bank were ignorant of any prospective legislation, and asserted that the general belief is that the government cannot take leasures, or even propose them, with any prospect of success until the ailver market is steadler. The submanager also said that he thought it probable that at the present price the Indians would resume making purchases of silver for hoarding. Nothing was known, he asserted, concerning the probable reopen ing of the Indian mints.

The drop of rupee paper today was in all one-half. A representative of the Associated press, in an interview this afternoon with a high official of the India office, was told that the government did not contemplate any further silver legislation at pres ent. In conclusion the India office official made the following significant statement: Speculation in which America is interested. which is sending silver to the Indian market, will probably result in some heavy failures before long."

EIGHT LIVES LOST.

Tug Blown Up Off Vancouver Island and Her Whole Crew Killed. VANCOUVER, B. C., Feb. 8.-Word has reached here of the destruction of the tug Estelle by an explosion and the loss of the entire crew, numbering eight persons. The explosion occurred last Sunday near Campbell river, in the northern part of Vancouver island. The Estelle was owned in Nanimo and was valued at \$25,000.

HONDURAN REBELS SUCCESSFUL. They Drive Back a Force Sent Against

Them and Kill the Leader. SAN SALVADOR, Feb. 8.-Vasquez broke General Guiterrez' lines yesterday afternoon.

All efforts to dislodge the Honduras rebels proved ineffectual.

Colonel Marion, commanding the forces sent on the rebels on the Atlantic coast, has en defeated. He was killed and a number of men also.

VICTORIA, B. C., Feb. 6.-The steamer Estelle is supposed to have been wrecked off Campbell, but there is yet no clue, save the fact of floating wreckage and chopped feed. and a life boat bearing the name Estelle being found in the water. She was on her way, with eight men on board, including the captain, to Haalams, a logging camp on the Campbell river, which she should have reached Sunday night. Reports from Nana-ime say there was an explosion on board on February 4, but the feeling here is that she was lost in the tide rips, near where the Standard went down two years ago. The Estelle was new and cost \$30,000. No news has been received and no survivors heard from

Russians Liked the Kalser's Words. ST. PETERSBURG, Feb. 8.-The Novoe Vremya and other newspapers comment upon Emperor William's speech at the recent parliamentary banquet at Berlin and appear to be greatly pleased with it. The speech appears also to have given great satisfaction in St. Petersburg generally. The Novoe Vremya says that the forcible utterances of the emperor did great service to the economic welfare of Germany and expresses the opinion that it was also the cause of main-taining the peace of Europe, which, accord-

ing to the paper, is sorely in need of quiet-

in order to pursue the task of develop-

ing its prosperity. France Does Not Like It. LONDON, Feb. 8 .- A dispatch to the Times from Paris says that the Russo-German treaty has caused a general depression in France, where sentiment is mixed with pure economics in view of the Cronstadt and Toulon receptions. The French public thought that Russia would quarrel with the Drietund and that she would be the irreconcliable enemy of the nation hostile to France. Some of the papers, the Times France. Some of the papers, the Times dispatch says, are already accusing Russia

of betraying France. Honors for General Kitchener. LONDON, Feb. 8.-General Kitchener, sirdar of the Egyptian army, and Mr. Scott, judicial advisor of the khedive, have each been made knight commander of the Order of St. Michael and St. George (K. C. M. G.). of St. Michael and St. George (K. C. M. G.). as the result of an a General Kitchener recently took exception couple of years ago.

IS WORTHY OF EMULATION to some criticisms Imade by the young khedive and resigned his command. The khedive apologized and the general was induced to withdraw, his resignation.

From the Graye of Lafayette. PARIS, Feb. 8-The society of the Daughters of the American Republic of San Francisco recently asked the French government through the French consul at San Francisco, for a few ounces of earth from the grave of General Lafayette, into which they intended to plant a tree of liberty. The French gov-ernment has acceded to the request of the ladies, and the minister of the interior, M. Raynal, today had a box filled with earth from the grave of General Lafayette. The box was sealed with the arms of the City of Paris and will be forwarded to San Fran

French Surprised in West Africa. PARIS, Feb. 8 .- A dispatch received here rom the governor of Senegal states that a French flying column is reported to have been surprised by the Tauroges near Tim-No further details are given. It is stated that as a result of the fight near Timbuctoo, several French officers are missing. Unofficial advices say the engagement was severe and the French loss was considerable.

On Their Way to Rio. PERNAMBUCO, Feb. 8.—The submarine torpedo Destroyer and five of the latest torpedo boats which have arrived here from Jermany have left for the south. It is believed the vessels are bound for Bahia, where they will join the rest of President Peixoto's fleet, preparatory to moving in force on Rio. Austria's Unemployed.

LONDON, Feb. 8 .- A dispatch to the Chronicle from Vienna says a meeting of ,000 unemployed was broken up by the po-The disturbance among the people is considerable. According to reliable esti-mates there are 350,000 out of employment in the country. Didn't Mean to Annex It.

PARIS, Feb. 8.-The Temps, referring to

the dispatches from Sierra Leone which state that the French have annexed the town of Halfcavaly, near the Liberian frontier, says that the French entered the city owing to an error, and that they will retire. Religious Riots in India. BOMBAY, Feb. 8.-Serious religious riots

have occurred at Vrok, 100 miles northeast of this city. Hindoo temples and Moham medan mosques were destroyed and several trouble was quelled by the military. Caused a Big Surplus.

PARIS, Feb. 8.-The customs returns of the government for January show a surplus of 20,000,000 francs. This is due to heavy imports of cereals in expectancy of increased Private Bank in England Suspends

LONDON, Feb. 8 .- The London & Northwestern bank has suspended. It is a small private concern, with a capital of £25,000. On the South American Rock. LIVERPOOL, Feb. 8.-Batter, Stocks & Co., traders with South American countries,

have suspended payment. King of Saxony Sick. DRESDEN, Feb. 8.-The king of Saxony suffering from a serious hemorrhage of

the bladder. IRRIGATION CONVENTION.

Committees Appointed—Those Who Will Speak—Other Features. Arrangements have been completed for

the coming interstate irrigation convention. The following committees were selected at the Commercial club yesterday: Arrangements-W. N. Nason chairman,

Euclid Martin, Colonel Champion S. Chase, H. F. Cady and F. C. Ayer. Reception-Major, Clarkson chairman, George H. Payne, Dr. George L. Miller, C.

C. Turner and Chris Hartman.
Credentials—W., A. L. Gibbon chairman,
E. S. Montgomery, C. C. George,
Finance—Dan Fayrell, jr., chairman,
Thomas Swobe, George W. Kelly, S. L.
Wiley and A. T. Rector.
Executive—I. F. Executive—I. Executive—II. Executive—III. Executive—J. E. Emery of Lawrence, Kan., A. W. Stubbs, Garden City, Kan., J. K. Wright of Junction City, B. A. McAllis-ter of Omaha, R. Harding of Wichita, J. E.

Frost of Topeka, Prof. Robert Hay of Junction City, G. W. Clements of Wichita, Thomas Knight of Kansas City, Alston Ellis of Fort Collins, Colo.

The following speakers will deliver addresses on the subject of irrigation before Mayor Bemis, E. R. Mapes, president of the Interstate Irrigation association; W. A. L. Gibon, J. L. Bristow, secretary of the as-

sociation; Major J. W. Powell, director of the United States geological survey; Major Willets, ex-assistant secretary of agricul-ture; Colonel Hinton of Washington, Wil-liam Smythe of the Irrigation Age, J. S. Emery, national lecturer; Aiston Ellis, president of the State Agricultural college at Fort Collins, Colo.,; Colonel C. S. Chase, Senator Manderson, George H. Pegram, chief engineer of the Union Pacific system, and Colonel Archie C .Fisk of Denver, commis sioner of immigration of Colorado.

Delegations from the following states and

ceritories will attend: Montana, New Mex-Colorado, Wyoming, Kansas, Oklahoma Texas, Missouri and Iowa. The representation will be based as follows: Each state can send members of congress governors and ten delegates.

Cities are entitled to four delegates, in-Counties, four delegates, including county

Colleges, four delegates, including presi-Colleges, four delegates, including presidents. Members of legislatures and railway officials are entitled to representation.

The address of welcome will be delivered by Mayor Bemis. Response by President E. R. Moses. W. A. L. Gibbon, president of the Commercial club, will follow with a brief talk, and ex-Mayor Chase will speak upon the subject of 'Duties of Cities in the Development of Irrigation.' the Development of Irrigation."
An effort will be made to secure reduced

rates on all the railways. A large attendance is anticipated.

The convention will be called to order at

10 a. m. on March 21, and continue in session for two days. The affair will be under the auspices of the Commercial club. Death of E. E. Whitmore Mr. Harry P. Whitmore received a tele-

gram yesterday announcing the death of his brother, E. E. Whitmore, at San Antonio, Tex. For years Mr. Whitmore was a resident of Omaha, having been connected with Boyd's Opera house as treasurer, and for one year was associated with Manager Thomas F. Boyd as manager of the old house that stood at Fifteenth and Farnam streets. After his retirement from theatrical life he became interested with J. A. Wood in the liquor business; but ill health compelled a severance of his relations with Omaha affairs and he removed to San Antonio two years ago. During his life as treasurer at Boyd's Mr. Whitmore made many warm friends in theatrical circles, and he knew moris well known stars than any man in the western section of the country. What disposition will be made of the remains is not known, but the deceased was a member of the St. Louis Crematory so clety and his bodyswill probably be inciner ated, which was his wish.

Edward E. Whitmore was the founder of the Omaha lodge of Elks and one of its charter members. He was also a member of Union Pacific council of the Royal Arcanum, in which he was in good standing at the time of his death.

Train Robber Sentenced CLINTON, Tenn., Feb. 8.-Fred Gerding, who attempted to hold up a Knoxville & Ohio express train recently, was today convicted and sentenced to prison for two years. His accomplice, Will Smith, was killed by officers who were on the train at the time

Wants Damages for a False Arrest. Judge Blair and twelve jurors are now wreatling with the issue in the case of Charles M. Bachmann against Policeman Brady and his bondamen. The plaintiff is seeking to recover the sum of \$1,000 damages as the result of an arrestwhich took place a

Cedar Rapids Trying to Break Into Presige dent Dave Rowe's League.

TALKING ABOUT HAVING TWELVE CLUBS

Admission of Joliet and the Iowa Town Will Make it Up-Yaratoga Announces the Nominations for the Coming Season.

CEDAR RAPIDS, Ia., Feb. 8 .- (Special to The Bee.)-Cedar Rapids may yet become a member of the new Western Base Ball as

THE STREET PROPERTY AND ADDRESS OF THE

sociation. For several days there has been a good deal of quiet work going on, and as a result several moneyed men of the city who are interested in the national game have expressed their willingness to subscribe liberally toward the support of a team during the coming season. W. S. Mc-Caull, a member of the schedule committee and one of the promotors of the league, writ-ing from Des Moines, has assured the Cedar Rapids people that if they desire admission to the league, Joliet will also be taken in and the league made one of twelve clubs. result a meeting will probably be held in a few days and a temporary organization formed, after which the matter will be pushed for all there is in it. There will be another meeting of the league at Des Moines February 20, and Cedar Rapids will no doubt have a representative at that meeting. Those who are interesting themselves in the movement here are of the opinion that Des Moines will not have a club and that the league will be an eight-club one after all. This city maintained a club in the Illinois-Iowa league for two seasons and has always been considred one of the best ball towns in

SARATOGA NOMINATIONS.

at comparatively small expense.

the state. The grounds where the ball park is now located have been secured for another

year, and as the park is already in fairly good shape, this city could go into the league

Announcement of the Candidates for the Coming Season.

NEW YORK, Feb. 8 .- The Saratoga Racing association today announces the nominations to stake races. All the events have filled remarkably well and are rich in promise for great racing at the famous watering place this year. The wealthiest and most noted owners in the country are among the nominators, and the most famous colors on the American turf will be sported at the meeting. Morris Daly, the copper king, has endowed the "Biter Root" stakes for 2-year-olds, named after his famous Montana stud. It is guaranteed worth \$5,000. The stakes for 2-year-olds are: The Flash stakes, at half a mile; the Bitter Root Stud stakes, five furlongs; the Kentucky stakes, five and a half furlongs; the Bankers stakes, five furlongs; the Mc-Grathinia Stud stakes, five furlongs; the Sal-Grathinia Stud stakes, five and a half fur-vator stakes, five and a half fur-longs; the Belle Meade Stud stakes, the Grand Julian six furlongs; the Grand Julian stakes, six furlongs; the Hurricane, Stud stakes, five furlongs; the California stakes, five furlongs; the Melbourne Stud stakes, seven furlongs; G. H. Mumm Cham-

pagne handicap, five furlongs.

The stakes for 3-year-olds are: Iroquois, one mile; the Foxhall stakes, mile and a furlong; the Travers stakes, mile and a quarter; the United States Hotel stakes, seven furlongs.
The stakes for all ages are: Canadian

stakes, at one mile and three-sixteenths; Fos-ter stakes, mile and an eighth; the Montana stakes, one mile; Merchants stakes, mile and a furlong; the Spencer handicap, mile and a quarter; the Sca Foam stakes, five and onehalf furiongs; the Albany stakes, six fur-longs; the Morrisey stakes, one mile; the Moot and Chadron stakes, one mile.

For hurdlers and steeplechasers: The Okolona Steeplechase stakes, short course, about one mile and three quarters; the Van Tassel and Kearney stakes, the short steeplechase course; the Balston stakes, two miles over light hurdles: the Beverwick Steeplechase stakes, full steeplechase course.

fale of Trotting Stock NEW YORK, Feb. 8.—The sale of trotting stock at the American institute took place yesterday before a thoroughly representative crowd of owners, breeders and trainers f trotting horses. Summary of the leading

Property of W. C. Orbitt, San Mateo, Cal.; Haze Wilkes, by Guy Wilkes-Blanche; W. S. Hobart, San Francisco, \$5,500, Una Wilkes, by Guy Wilkes-Blanche; O. P. Foster, Providence, \$3,400. Sabina, by Sabel Wilkes-Eva; J. Leonard, Mont Claire, N. J., \$2,000.

Nellie Aldine, by Wilkes Boy-Josie King; John H. Schultz, Parkville, L. I., \$3,500. Kin Corret, by Wilkes Boy-Kincora; W. Garlock, Buffalo, \$3,500. Chicago's New Race Track.

CHICAGO, Feb. 8 .- Chicago is to have a new race track. It will be located on the West Side outside of the city limits. The ground has been secured and work will be commenced at once. It will be known as the Chicago Fair Grounds association. It is claimed that there will be racing on the track only thirty days each year. The peo-ple behind the scheme decline to allow their names to be made public.

No Racing on the Gloucester Track. PHILADELPHIA, Feb. 8 .- "You can state positively as coming from me that there will be no racing on the Gloucester race track this year," said Prof. William J. Thompson. "Of course,I, as well as a great many horse owners who have horses quartered here, would like to see racing. but I do not care to have any trouble with the authorities.'

Samson Wants Some of It. DETROIT, Feb. 8 .- Samson, the strong man, who is playing an engagement here,

announces that he has decided to challenge Corbett for a fight. Samson strikes a 3,000 pound blow. He says he is willing Corbett should strike him, but that he would surely break Corbett's arm or disable him. states he will go in training to perfect his sparring. Stansbury and Caudaur. VANCOUVER, B. C., Feb. 8 .- Negotia-

tions are now in progress for a race between Stansbury of Australia and Jake Gaudaur of Orilla, Ont., to be held on Burrard Islet this summer for the championship of the world. Stansbury's trainer is now here and expects important news by the steamer Stromsburg's Athletic Club. STROMSHURG, Neb., Feb. 8 .- (Special

to The Bee.)-The Stromsburg Athletic club gave its annual entertainment at the opera house last night. The program was well ren-dered and highly appreciated by all present. Stromaburg feels justly proud of the talent lisplayed by the local amateurs Donaghue's Two-Mile Time. ST. JOHNS, Feb. 8 .- Joe Donaghue, the

exhibition in Victoria rink last night in the presence of a large crowd. His time was This is forty seconds longer than his own record time. Great Drop in Value. ST. LOUIS, Feb. 8.-King Cadmus, the nce celebrated runner for which "Pittsburg Phil" at one time refused \$100,000, was

"'014

champion amateur skater, gave a two-mile

put up for sale today by his owner, Man" Brennan, but failed to bring \$190. Solly Smith Beaten. CHICAGO, Feb. 8 .- At the Empire theater last night Solly Smith boxed with Plimmer. The bout was entirely friendly. Plimmer bested Smith, being in much better

ondition and quicker, too. Dan Daly Wins in the Third. ST. LOUIS, Feb. 8 .- Dan Daly of Bangor, Me., and Frank Zacker, a local pugifist, last night fought to a finish for a purse of \$100 and a side bet. Zacker was knocked out in the third round.

West superior Wants It. WEST SUPERIOR, Wis., Feb. 8.-W. B. Hennessey has received a letter from Parson Davies, manager for Peter Jackson, in which the Parson says he will entertain a proposition from this city if accompanied by an agreement to insure protection from the

authorities. A company will be formed to offer a purse and secure the coming Corbett-Jackson fight. Roby is Dead Forever.

VALPARAISO, Ind., Feb. 8.-Judge Crum packer, attorney for the Roby Athletic club, returned from Chicago tonight. He was there in consultation with the club in regard to an appeal to the supreme. court. He said that Costello was not in Chicago and was not liable to return and go to the penitentiary to save his bondsmen. Judge Gillett says that the Roby club is defunct and will give no more exhibitions. All the talk of the Corbott-Jackson fight coming off at Crown Point is done to effect the trials of

BOARD OF EDUCATION.

Will Seek to Mandamus the City Council to

the Roby crowd.

Make the School Levy Asked For. At a special meeting of the Board of Education last evening action was taken toward obtaining a mandamus to compel the city council to make the levy for school purposes according to the estimate of the board. Bids were acted on for the lease of the Izard school site, the purchase of the old Hartman building and for heating the Hickory school. On recommendation of the committee, the lease of the Izard site was awarded to the

C. W. Hull company for \$851 per year for five years. Under the conditions of the bid, the years. Under the conditions of the bid, the lot will be brought to grade by the board. The other bidders were J. L. Black, W. M. Dodge and L. R. Roberts.

The offer of B. M. Carmichael of \$180 for the Hartman building was accepted on con-dition that the pidder remove the materials within ninety days.

There was only one bid for the job of mov-

ing the Lathrop annex to the Sherman school, and that was rejected and the secretary instructed to readvertise. On recommendation of the committee on buildings and property the bill of Theodore Heuck for \$70.59 for plumbing at the Frank-lin school was ordered returned to him. It was claimed that the work was done without authority from the board.
A resolution was adopted directing the

secretary to order nut coal for all the steam plants and Walnut block for the Smead, Fuller & Warren and other bot air furnaces. The bond of the Fuller & Warren com-pany for its contract for heating the Hickory school was ordered returned, and a comunication from the company's attorney threatening legal steps was placed on file The bond was returned because the com-pany had failed to comply with a request from the board for a change in some of the

specifications in the contract.

The bid of John Rowe & Co. for heating the Hickory school building by indirect radiation was accepted. The contract price ts \$2,510. Colonel Akin introduced the following resolution, which was unanimously adopted

Resolved, That the attorney of this board be and is hereby instructed to at once commence an action of mandamus, or other proper action, against the mayor and the city council of the city of Omaha to compet them to levy the amount of tax necessary to raise the money called for in the estimate of this board in accordance with the true of the return to levy in accordance with the terms of the statute in such cases made and provided. In explanation of his action Colonel Akin said that the resolution was not to be taken as an indication of ill will towards the city

council. It was simply a question whether the city council knew better than the board what was necessary for the educational interests of the city. The board had been hampered by the refusal of the council to make the required levy a year ago and now it was trying to do the same thing again. It was time that the board found out whether it had a right to exercise its own judgment The secretary was instructed to advertise for bids for grading the Izard site to the

established grade. Miss Sadie Ryan of Des Moines applied for a position as teacher and was referred to the superintendent of schools.

CURRENT TOPIC CLUB. Rights of a Mayor Discussed by a Lawyer and an Editor. The regular meeting of the Current Topic club this evening promises to be one of

unusual interest in view of the subject

which is up for discussion. The subject is:

'Is it Ever Allowable for an Executive Officer to Exercise His Discretion in the Enforcement of a Law?" To those who have kept track of certain sermons which have been delivered by an Omaha minister during the past month, it is unnecessary to explain the support of this question. The discussion will be carried on by Mr. Edward Resewater upon the affirmatiev and Judge McCulloch on the negative.

There is room for a great deal of argument

on either side of the question and the de-baters have decided views upon the ques-The meeting promises to be a decidedly interesting one.

The meeting will be held at the Young Men's Christian association building and everybody is invited to attend.

WEATHER FORECASTS.

It Will Be Fair, but Deeldedly Colder in Nebraska Today. WASHINGTON, Feb. 8 .- Forecasts for Friday: For Nebraska and South Dakota-Generally fair: decidedly colder; north winds. For Iowa and Missouri-Fair, preceded by rain or snow in eastern portion in early norning; decidedly colder; north winds.

Dr. Detweller Resigns. Dr. Detweiler, who for the past eighteen months has been pastor of St. Mark's Luheran church, Twenty-first and Burdette streets, has tendered his resignation, and at meeting of the congregation Wednesday evening the same was accepted.

The doctor's successor has not yet been secured, but steps looking to this end will be taken at an early day. In the meantime there will be regular services morning and evening. Rev. Dr. Kuhns will preach on Sunday, February 11, and on occasions when there is no other supply. On Sunday, February 18, Rev. Barnitz of Des Moines will

Dr. Detweller is temporarily absent from the city, but as yet has not accepted any pastorate. His family is still in Omaha and his future movements are undetermined.

PERSONAL PARAGRAPHS.

Dell Akin of Atkinson is at the Merchants. A. H. Marshall of Chadron is at the C. C. King and wife of Emerson are at the M. L. Emig of Howells is stopping at the

Hon. L. D. Richards of Fremont is at the Millard. Dosia Grace of Norfolk is registered at he Millard. Collector J. E. North went to his home in

F. W. Sears of Ravanna registered at the

olumbus yesterday.

Mercer last evening. Guy A. Lang and wife of North Platte are guests at the Paxton, W. E. Reed of Madison, law partner of Senator Allen, is at the Mercer.

F. M. Crow of Hastings left his autograph the Arcade register last evening George Keck of Kearney left his autograph n the Paxton register last evening. Mr. A. J. Vierling and W. M. Dodge left for Boston yesterday afternoon to attend the national convention of builders as delegates

from the Omaha Builders and Traders exchange. Hon. P. B. Russell of Denver is in the city. He is a member of the Board of Su-pervisors of that city and has been on the governor's staff for the past six years. Colonel Russell is accompanied by Mesars. W. L. and J. F. Sperry, prominent young business men of the Queen City.

The following Nebraskans are registered at the hotels; E. Voorhees, Lincoln; E. Rulow, Pierce; W. L. Paul, Lincoln; John A. Whehard, Clarkson; A. J. Bolster, York; H. C. McHiram, Pender; A. Z. Peck, Geneva; T. M. and C. D. Cass, Norfolk; W. S. Merrill, Carroll; M. D. Haddock, Clarks; E. S. Stuart, Blair; A. H. Wherry, Pawnee City; P. L. Hall, Mead; George J. Reynolds and wife, Norfolk; J. A. Kehoe, Platte Center; Frank E. Davenport, Norfolk; Theodore Beyschlag, Nebraska City; S. Shinn, Jr., Fremont; J. Reld, Nebraska City.

INCOME TAX CAN'T REACH 'EM

Some Salaries that Will Suffer Little from the Proposed Law.

PRESIDENT AND SUPREME COURT EXEMPT

Federal Constitution Forbids the Cutting of the Salaries of These High Officials

During Their Tenure of Office

-Other Washington Notes-

WASHINGTON, Feb. 8 .- One clause of the federal constitution provides that the compensation of the justices of the United States supreme court shall not be diminished during their terms of office. The constitution also declares that the president's compensation shall not be increased or

diminished during his term. In view of these constitutional provisions an inquiry has arisen as to the power of congress to make an income tax applicable to these high officers of the government. The inquiry into this question has developed some interesting information, the tenor of which is that the president and judiciary would be exempt from paying the tax.

February 16, 1863, Chief Justice Taney of the supreme court wrote a carefully prepared letter to Secretary Chase, which is on file among the records of the clerk of the supreme court. The chief justice called at-tention to the clause of the constitution referred to, and said of the income tax: The act in question as you interpret it, diminishes the compensation of every judge 3 per cent, and if it can be diminished to the extent by the name of a tax it may in the same way be reduced from time to time at the pleasure of the legislature. The judiciary is one of the three great departments of the government, created and established by the constitution tution. Its duties and powers are specifically set forth and are of a character that require it to be perfectly independent of the other two departments. In order to place it beyond the reach and even above suspicion of any such influence the power to reduce their compensation is expressly withheld from congress and excepted from their powers of legislation. Upon these grounds I regard an act of congress, retaining in the treasury a portion of the compensation of the judges, as unconstitutional and void. "All of the judges of the supreme court have an interest in the question, and could not, therefore, undertake to decide it.

"I am, however, willing to leave it in-ferred from my silence that I admit the right of the legislature to diminish in this or any other mode the compensation of the judges when once fixed by the law; and my silence would naturally, perhaps necessarily, jurd Au no somessing se node payon ad in the power claimed and exercised under this act of congress, and would be regarded as a precedent, establishing the principles that the legislature may at its pleasure regulate the salaries of the judges of the courts of the United States and may reduce their compensation whenever congress may think proper."

Chief Justice Taney's letter seems to have

had its effect, for after the war when Wil-liam Richardson, now chief justice of the court of claims, was the secretary of the treasury there was refunded the money which had been withheld from the salaries of the judiciary under the income tax.

AMUSEMENTS.

"Fantasma" at Boyd's. "Fantasma," an old friend in the way of theatrical entertainments, began an engagement at Boyd's last evening, playing to the capacity of the house. So much new material has been added to this clever show of Hanlon Bros. that it came almost like a new candidate for public favor, although many of the best of the old tricks have been retained. The spectacular have been retained. The spectacular trick pautomime has delighted thousands of the young and old of the land, and it seems to have been given a new lease of life since last seen in Omaha. In its new garb Funtasma" comes about as near as possible, the bewildering tricks and effective tableaux, with just enough dramatic incident to keep up the interest of the story, making a wonderfully effective performance. The scenery throughout is entirely new and the transformations rival those of the best spectacular performances of the past. There are a great many innovatious introduced, the electric dance of Miss Etta Lyons being particularly beautiful and graceful. Pico, the faithful, is in the capable hands of Mr. F. X. Zeitner, who, while not as easy as was George H. Adams in the part of the clown, gives a very acceptable rendition of the role. On the whole the company is quite acceptable, and "Fantasma" renewed her hold upon the Omaha public in a manner that left little to

"Our Country Cousin" at Fifteenth Street. "Our Country Cousin," a play of the harrest fields and life "down on the farm," was the attraction last evening at the Fifteenth Street theater, Frank Jones appearing in the part of Jason Wheatly, the country bumpkin, who turns out to be considerable of a man withat. The play is in four acts and deals with the loves and ambitions of the people who give life to the comedy drama, with here and there a 'shady" character introduced as a measure of contrast. The play is well staged, some of the sets being particularly effective. Frank Jones makes as ideal farmer and has xcellent support in the person of Lillian Waiton as Jason's sweetheart. One of the nits of the evening was made by Frank Young, whose dancing has not been excelled on the local stage. The company was ade-

AMUSEMENTS

BOYD'S Four Nights THURSDAY, FEB. 8.

Matinge Saturday.

Special World's Fair Production of

HANLON BROTHER'S FANTASMA

Usual Prices. BOYD'S MAYOURNEEN Mon., Tues. and Wednes.: Feb. 12, 13, 14 The Great Singing Comedian. CHAUNCEY OLCOTT.

The Most Popular and Pleasing of All Spectacular Trick Pantomines.

apported by Augustus Pitou's Company, in their successful comedy-drams in four acts. MAVOURNEEN

By George H. Jessup and Horace Townsend. seene laid in Ireland from 1774 to 1784. "Mayourneen" is the play in which W. J. Sanlan, to fumous Irish ministrel, made the success of his Hox-sheets open Saturday morning at usual

554 Seats at 50c Each.

15th STREET THEATRE Popular TONIGHT. MR. FRANK JONES. and his excellent company in the new comedy drama,

Our Country Cousin. Matince Saturday. 15th STREET THEATRE POPULAR

ABBOTT AND TILLOTSON'S COMEDY COMPANY, "NIOBE"

ALL LAUGHTER-NO TEARS.