THE PRINTER AND THE REPORT OF A PRINTER &

(Continued from First Page.)

the schedules of wages of the employes in force when they were appointed, and to adopt new and reduced schedules has not been uniform and harmonious; and since it is desirable and necessary that any order made on said petition should have a uniform operation upon the lines of railway operated by maid receivers throughout the circuit; and since the receivers have revoked and an-nulled their action heretofore taken order-ing new wage schedules into effect on the 1st of March, 1894, and have resolved that the entire matter of new wage schedules be held in abeyance to await further action of the court, it is now here ordered as follows:

First-That the petition of the receivers for leave to set aside and annul the schedules of wages of the employes on the Union. Pacific system, in force when they were appointed, and to adopt new schedules equalizof the employes, he set down for hearing before the circuit judges at Omaha, Neb., on the 27th day of March, A. D., 1894.

"Second—That the receivers forthwith, or as soon as may be practicable, invite the proper representatives of the employes on aid system to attend a conference at Omaha, commencing on the 15th day of March 1894, for the purpose of conferring with S. H. H. Clark, receiver, (who is hereby specially designated and selected to conduct said conference on behalf of the receivers), and such other person or persons as he may select to act with him, at which conference the entire matter of proposed changes in wage schedules shall be taken up, and, as far as possible, agreed upon between the said Clark and said representatives of the employes. Such conference to continue from day to day until such agreement is reached. "Third—That in case there are any

matters in difference remaining unadjusted, such matters of difference shall be clearly and specifically stated and presented to the court in writing on or before said 27th day of March, 1894, and the hearing herein shall proceed as to such matters in difference be-fore the circuit judges holding the court and after hearing the parties and their wit-nesses and counsel the circuit judges will make such order in the premises as may be right and just.
"Fourth-That the receivers grant to such

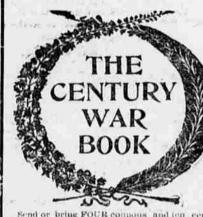
representatives of the employes leave of absence to attend said conference and hearing, and furnish them transportation to Omaha HENRY C. CALDWELL, (Signed) WALTER H. SANBORN, Circuit Judges

FRUITLESS CONFERENCE WITH THE

OFFICIALS. In compliance with the terms of this order a conference between Mr. Clark and his assistants and the officers of the several labor organizations representing the employes of the court was held in Omaha. At this con-ference an agreement was reached as to the rules, regulations and schedules relating to the train dispatchers and operators, which have been reported to the court and confirmed. This was one of the most diffithe satisfactory agreement reached he conference shows the great value of a good tempered, calm and intelligent in quiry in which both sides are represented, and in which both sides learned, perhaps

for the first time, the ground on which the demand is made by the one and resisted by the other. The receivers had declared to the court, in their petition filed on the 27th day of January, 1894, "That after careful consideration of the matter and consults tion with the managing officials of the Union Pacific system they are of the opinion that the so-called rules, regulations and sched-ules of pay for train dispatchers and oper-

NUMBER 4.



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ators are entirely unnecessary, and they have therefore not only decided to disaffirm the same, but they have also decided that they will not prepare or establish any rules and regulations in lieu theroof, and with respect thereto your receivers further advise your honors that all if the said train dispatchers and telegraph operators are employed on monthly salaries, which are de-termined in consideration of all the circumstances of each particular case, and are intended to cover all of the services and all the time necessary in which to perform the service required from each of said train dispatchers and operators at the several respective stations on the line of the Union

Pacific system."

And yet at the conference held under the order of the circuit judges the position assumed by the receivers in their petition to the court was found to be untenable and was

the court was found to be untenable and was abandoned, and rules and regulations gov-erning telegraphers' wages adopted. It would serve no useful purpose here to state the causes which, in the opinion of the court, prevented an agreement between the conferees upon rules, regulations and schedules for the other branches of the service. It is sufficient to say that they were of a character which do not in any degree militate against

e usefulness or efficacy of nferences or the ability or fairness of the nferees. Freed from the state of things conferees. brought about by the erroneous proceedings of a majority of the receivers in the beginning of this business, it is highly proba-ble that the conferers would have agreed upon all the schedules Failing to agree the matter was brought before the cour in accordance with the order made by the circuit judges. At the appointed time the receivers appeared in person and by attorney, and the employes by the officers of the several labor organizations to which they belong, and by their attorneys. Upon caring the case for hearing the court directed an order to be entered setting aside and vacating the order of the court made on the 27th day of January, 1894, approving rules, regulations and schedules framed by the receivers without notice to or con ference with the employes affected thereby and also setting aside and vacating the order of injunction entered at the same time. court then announced to counsel that rules, regulations and schedules in force when the receivers were appointed were still in force and would be held and treated as prima facie just and reasonable, and that the burden was cast upon the receivers to show that the wages received by the court's employes under the existing regulations were in excess of a fair, just and reasonable compensation for the service performed, taking into consideration all the circumstances and in view of the existing conditions. The hearing proceeded on these lines, and the court listened for a week to the testi-

mony of witnesses.

SUPREME DUTY OF THE COURT. Before stating the conclusions we have reached upon the facts it will be well to state the leading principles which courts of equity must keep in view in this class of cases. When a court of equity takes upon itself the conduct and operation of a great line of railroad the men engaged in conducting the business and operating the road become the employes of the court, and are subject to its orders in all matters relating to the dis-charge of their duties, and entitled to its protection. The first and supreme duty of a court when it engages in the business of operating a railroad is to operate it efficiently and safely. No pains and no reasonable expense are to be spared in the accomplish-ment of these ends. Passengers and freight must be transported safely. If passengers are killed or freight lost through the slightest negligence to provide all the means of safety commonly found on first class roads, the court is morally and legally responsible An essential and indispensable requisite t the safe and successful operation of the road is the employment of sober, intelligent, ex-perienced and capable men for that purpose. When a road comes under the management of a court on which the employes are conceded to possess all these qualifications—and that concession is made in the fullest manner here— the court will not, upon light or trivial grounds, dispense with their services or reduce their wages. And when the schedule or wages in force at the time the court assumes the management of the road is the result of a mutual agreement between the company and the employes which has been in force for years, the court will presume the scheule is reasonable and just, and any one disputing that presumption will be

required to overthrow it by satisfactory GOVERNED BY RECEIVERS It is suggested that upon this question he court ought to be governed by the the court ought to be governed recommendation of a majority of the re-ceivers. The suggestion is without merit in this case for several reasons. Four of the five receivers are not practical railroad and are not familiar with the subnee, and are not tanimal with ject; two of them are lawyers residing in New York, one a merchant residing in Chicago and one a railroad accountant, havdoubtless, a thorough knowledge the books of the company, but knowing nothing about the wage schedules. These four gentlemen are eminent in the line of their professions and pursuits, and entirely capable of managing the financial affairs of this great trust, for which purpose they were, doubtless, selected, but their opinions upon the subject of wage schedules is con-fessedly of little value. The court shares in their anxiety to have an economical administration of this trust to the end that those who own the property and have liens upon it may get out of it what is fairly their due. But to accomplish this desirable result the wages of the men must not be reduced below a reasonable and just com pensation for their services. They must be paid fair wages, though no dividends are paid on the stock and no interest paid on the bonds. It is a part of the public history of the country, of which the will take judicial notice, that for the first \$36,000,000 of stock issued this company recoived less than 2 cents on the dollar, and that the profit of construction represented by outstanding bonds was \$43,929,328.34. These facts are disclosed by the report of the "commission of the United States Pacific Railway company' in 1887, of which Mr. Anderson, one of the receivers in this case, was a member. (See report, pp. 51.137.) There would seem to be no equity in reducing the wages of the employes below what is reasonable and just in order dividends on stock and interest on

o pay dividends on stock and interest on bends of this character. The recommenda-tion of the receivers to adopt their schedules cannot be accepted by the court for another reason. That schedule was adopted without affording to the men or their repre-sentatives any opportunity to be heard. This was in violation of the agreement existing between the company and the men, by the terms of which no change of the schedules was to be made without notice the men and granting them a hearing This was a fundamental error. The re-ceivers should have given notice and inthere was no conference even if there was no contract requiring it. In answer to this objection to their mode of preceding it is said the order of the receivers and the order of the

court extended an opportunity to the men to protest against the new schedules after their adoption. The men could have small hopes of a fair and impartial hearing after the receivers had prepared new schedules sehind their backs which were declared by the receivers and the court to be prima facie just and reasonable. This was very much like first hanging a man and trying him afterward. It is small consolation to the victim of the meb to be told he shall have a trial after he is hanged. It is further have a trial after he is hanged. It is further said that the receivers had the right to renounce the old schedules and adopt the new ones because the old ones were mere executory contracts. There are some executory contracts which receivers may renounce, but they cannot claim the benefit of such contracts and at the same time resuch contracts and at the same time renounce their burdens. This is precisely
what was attempted to be done by the receivers in this matter; they renounced the
old schedules and adopted new ones reducing
wages, but securingly with no idea of absolving the men from the duty of continuing
to work and operate the road, for in their
petition they ask that their schedules be
confirmed by the court, "and all of the said
employes directed to conform thereto." The
receivers were the first to break the contract
between the court and its employes, but if between the court and its employes, but if the converse had been the case the court could not have directed or enjoined the men

continue in its service. formance of a contract to render personal service named be enforced by injunction, by pains and penades or by any other means. For a breach of such a contract the only redress the law affords is a civil

action for the damages. ORGANIZED LABOR IS ORGANIZED CAP-

ployes in its service the principles of the early English statutes, which, by the imposition of heavy pains and penalties, forced laborers to work at fixed wages and made it an offense to seek to increase them or to quit the service of their employer. The period of compulsory personal service, as a punishment for crime, has passed in this country. In this country it is not un-lawful for employes to associate, consult and confer together with a view to maintain or increase their wages, by lawful and peac ful means, any more than it was unlawful for the receivers to counsel and coufer to-gether for the purpole of reducing their wages. A corporation is organized capital; it is capital consisting of money and property. Organized labor is organized capital; it is capital consisting of brains and muscle. What it is lawful for one to do it is lawful for the other to do. If it is lawful for the stockholders and officers of a corporation a a sociate and confer together for the purof reducing the wages of its employes or of devising other means of making their vestments profitable, it is equally lawful or organized labor to associate, consult and confer with a view to maintain or increase wages. Both act from the prompting of en-lightened selfishness, and the action of both

s lawful when no illegal or criminal means are used or threatened. It is due to the receivers and to the managers of this property to say that they have not questioned the right of the labor organizations to appear and be heard in court in this matter, and what they have said about these organizations has been in commendation of them and not in disparageneut. Men in all stations and pursuits in ife have an undoubted right to join together for resisting oppression or for mutual assistance, improvement, instruction and pecuniary aid in time of sickness and dis-Such association commonly takes place between those pursuing the same occupation and possessing the same interests. This is particularly true of men engaged in the mechanical arts, and in all labor pursuits where skill and experience are required. The legality and utility of these organizations can no longer be questioned.

RIGHT OF MEN TO BE HEARD. The action of the receivers is objectionable upon another ground. It would be difficult to devise any action better calculated to provoke a "strike." The method of adopting the new schedules was calculated to arouse resentment in the breast of every self-respecting, intelligent and independent man in the service. While they might have been willing to acquiesce in the reduction of their wages, they were quite sure to re-volt against the manner of doing it. Whatever may be the legal right of a railroad corporation to reduce the wages of its employes or discharge them in a body without giving them an opportunity to be heard, a court of equity will not act in that manner or approve the action of its receivers who have acted in that manner. The receivers, no more than the court, should have under-taken to determine what wages were just and reasonable without giving the men an opportunity to be heard. It is fundamental in the jurisprudence of this country that no court can rightfully make an order or render a judgment affecting the rights of one who is absent and who has had no notice. requirement that the court or any other tribunal shall hear before it decides is much older than Magna Charts or our constitution. It was written in the book 3,000 years ago that "He that answereth a matter before he heareth it, it is folly and shame unto

A further and conclusive answer to th ontention in favor of putting the receivers schedules in force is found in the fact that Mr. Clark, the only one of the receivers who is a practical railroad man, testifies that they ought not to be put into force

without "some modifications. As a result of the old code of rules and schedules this company has been able to bring about into every branch of its service, at reasonable cost, intelligent and capable men who have carefully guarded and pro-tected its property and business interests until the train service upon the Union Pa-cific is today equal to any of the great rail-way systems of the country. Upon the question of the reasonableness of the old schedules we have had no trouble in coming

to a satisfactory conclusion.

The record shows that all that portion of railroad mileage where excess mileage has been allowed runs through either a mountainous or desert country, where the men engaged in the operation of trains have to contend with heavy grades, and where the winters are long and often severe, and where the hazard of operating is necessarily greatly increased. There is practically no agriculture and the cost of living is much greater than in an agricultural region. stated by Mr. Dickinson, "It is a pretty tough place to live." The system of paytough place to live." The system of paying excess mileage, Mr. McConnell testifies has been in vogue ever since the road was built, and was allowed because the com-pany had difficulty in obtaining men who would stay in that region of country. I this system was a good thing for the company when operating the road, it is a good thing for the court when operating the road. As a result of this system men of intelli-gence and character have been induced to enter the service and to establish permahomes in regions of country there is practically no business except the business in which they are engaged, and where, for many reasons disclosed by the evidence, it is not desirable to live. system of rules and regulations by which the company has been able to bring into its some instances, the class of men who have appeared before the court at this hearing certainly commendable, and meets the entire approval of the court.

PRESENT SCHEDULES ARE JUST. In the opinion of the court the allowance made by the schedules now in force is just and equitable when all the conditions are considered. The employes, under the present system, share the burdens of diminished business. They make less mileage and get less pay per month. The rate now paid is not higher than the rate paid on other lines operated through similar country and under like conditions, and, in the opinion

of the court, is not higher than it should be Some of the employes with large families to support are seldom to support are seldom more than a few days wages in advance of want, and if their present wages were materially reduced they could not live. The highest and best service cannot be expected from men who compelled to live in a state of pinch are compe

It is a gratifying fact that the officers and representatives of the labor organizations of which the men interested in this hearing are members have unanimously assured the court that whatever judgment is rendered in this case will be accepted by the men as a settlement of the dispute, and that in no event, after such a hearing as has been eccorded to them in court, will the 'strike." We are confident these assur will they ances will be kept.

When property is in the custody of re-ceivers the law declares it to be a contempt of the court appointing them for any person to interfere with the property or with the men in their employ. No injuncwith the men in their employ. No injunc-tional order can make such unlawful inter-ference any more of a contempt than the makes it without such order. orders have an injurious tendency, because they tend to create the impression among men that it is not an offense to interfere with property in possession of receivers or with the men in their employ unless they have been especially enjoined from so doing. This is a dangerous delusion. To the extent that a special injunction can go in this class of cases the law itself imposes an in-

Junction. For this reason no injunctional order will be entered in this case. In conclusion we may be indulged in giving expression to the hope that in future differences about wages between courts and their employes, at least—and we would fain hope between all employers and employes—resort may be had to reason and not to passion, to the law and not to violence, to the courts and not to a "strike." It is a re-prouch to our civilization that such differences should result, as they often have, in personal Fielence, loss of life, destruction of property, loss of wages to the men and less of carnings to the employer, and, when they occur on great lines of railroad, great damage and inconvenience to the public.

An order will be entered in the district of Nebraska continuing the present schedules (subject to the modification as to delayed or overtime) in full force and effect and setting

aside the order made by this court on the 27th day of January, 1894. Also an order directing the receivers to cause 500 copies of a complete record of this cause, including the pleadings, evidence, opinion and orders entered in the several districts, printed and distributed as provided in the order. The court is asked to apply to the em-

conference ordered by the circuit judges and while attending the phearing.

An order will be entered in the districts of Colorado and Wybming modifying the orders entered in those districts on the 26th and 27th days of February, 1894, to conform to the order now Amplitud in the district of Nebraska, relating to the rules, regulations and schedules of pay.

ORDER'OF THE COURT.

Status of the Wife Question Fixed by Judiriat Mandate. The following is the official order of the

It is ordered, with the following amendment as to delayed or overtime, viz.: In lieu of article iv., (Engineer's old rules.) Delayed Time—No overtime shall be al-lowed unless the time on duty has averaged less than ten miles per hour, time to computed from the time first named to

In He's of article vii. (Engineer's old rules.) Extra short runs not provided for in the schedule of runs. All short runs of less than 100 miles, and no other mileage made on the same day, 100 miles will be allowed, overtime after ten hours.

Add to section 1 of article ix, as follows: It is expressly understood that grievance committees authorized to represent engineers shall have access to the proper officials for the consideration of cases of violation of rules or regulations governing conditions employment.

Firemen-In view of the present string

ency in all matters pertaining to labor and corporations, we, the firemen, are willing to share with this court the burden of expense to the extent of conceding overtime accrued in less than ten hours on all trains that the schedules of pay and the rules and regulations for the guidance and government of employes engaged in the operation of the various railway, railroad telegraph lines and other properties of the Union Pacific system now operated by S. H. H. Clark, Oliver W. Mink, E. Ellery Anderson, John W. Donne and Frederick R. Coudert, receivers herein, which were in force upon said Union Pacific system at the date when the property of said Union Pacific system passed into the custody and control of said receivers, under and by virtue of the orders of this court, shall be continued in full force and effect by the said receivers, their managers superintendents and officers, until changed by agreement between the receivers and the officers or representa-tives of the labor organizations representing the employes engaged in the service of operating said Union Pacific properties under said receivers, or by the order of this court. This order shall apply to all the roads, in-cluding the St. Joseph & Grand Island rail-

tion and business of said Union Pacific is further ordered that the receivers shall have 500 copies of a complete record of the proceedings had in the courts of the several districts of this circuit in relation to the change of rules, regulations and wage schedules proposed by the receivers herein, printed and securely bound, each volume to contain the complete record, properly in-dexed, of all proceedings had in the several courts relating to this subject, beginning with the petition of the receivers, and including the petition, the answers of the em-ployes, the testimony taken at the hearing before the court in the circuit court for the District of Nebraska, and all opinions of the courts filed, and all orders made by the cir-cuit courts in the several districts. The cost and expense of preparing manuscript, printing and distributing said record as by this order directed, shall be paid by said receivers out of the trust funds in their hands

road, and to every department of service under the receivers in relation to the opera-

It is further ordered that the copies of said record, when printed and bound in volumes shall be distributed by the receivers as fol-lows: Twenty-five volumes each to the circuit judges of this circuit, ten volumes each to the district judges of this circuit, 100 volumes to the receivers, forty volumes to the representatives of the employes, 100 volumes to remain in custody of the clerk of this

court for distribution as the court may from time to time direct. It is further ordered that the delegates or representatives of the employes engaged in the service of operating the railroad and telegraph lines of the Union Pacific system under the receivers, who were in attendance upon the conference ordered by the circuit judges and in attendance at this hearing, shall be allowed their reasonable expenses during the time they were attending the conference and hearing, upon the basis heretofore allowed by the company to men attending a conference between the officers of the company and the men, and the receivers are directed to pay these expenses out of the trust funds in their hands.

It is further ordered that the order and injunction relating to wage schedules, here-tofore entered in this court for the district of Nebraska, on the 27th day of January 1894, be and the same is hereby set aside. HENRY C. CALDWELL

United States Circuit Judge, Eighth Judiclal Circuit.

JOHN A. RINER, United States District Judge for the District of Colorado, sitting in the United States circuit court for the district of Nebraska by request of the circuit judge

order for the districts of Colorado and Wyoming are identical with the above, except the concluding clause, which states that the orders heretofore made in those districts are hereby modified to conform

EVERYBODY PLEASED.

Labor Leaders Jubilant Over the Court's Decision-Judge Thurston's Opinion. Satisfaction was written all over the faces

of the men in the court room when the reading of the opinion was concluded. From the very start of the reading it was apparent that the opinion was a substantial victory for the men, but none of them had at least ex pressed a hope that it would be so complete and sweeping. When the reading was concluded, and the judge announced that the court would take a recess until the order should be entered up, the men fell to and congratulated each other, and crowded forward to shake hands with Judges Caldwell and Riner. All was confusion for a few min-utes, and then the crowd in the court room

gradually melted away and the men went back to their various boarding places. Mr. Vroman, chairman of the engineers grievance committee, said he did not wish to be quoted any further than to say that the decision was eminently satisfactory to him and that he considered that the men had only obtained what was their just due. C. A. M. Petrie, chairman of the firemen, stated that the opinion of the court fully justified the confidence the men had all along placed in Judges Caldwell and Riner. From the start they had expected justice at their hands and they had received it. It was great victory not only for the men on the Union Pacific, but for organized labor every-

Grand Chief Clack of the conductors said that the decision was an eminently just one and the men ward fully satisfied. They were prepared to abide by the decision of the court whatever in had been and they were more than Heased that the living up o it would be so pleasant.

Gilliland of the telegraphers and Clark of he trainmen expressed their approval in no less emphatic terms, and, in fact, there was but one opinion to express by the men and to repeat them would be but to tell absolutely the same story in different words. JUDGE THERSTON SATISFIED.

General Attorney Thurston of the re-General Attorney Thurston of the re-ceivers, asked what he had to say in re-gard to the opinion of the court, replied: "The decision refleves the receivers and managers of the than of a great responsi-bility. I think everybody concerned is glad to have the court take the responsibility as a reduction in wages is always necessarily unpopular with the men and disagrecable to the managers. I had hoped that if the court found the old schedules were just and ordered their continuance it would order a restoration of the pay of all the unorganized employes who were affected by the percentage cut of September 1. If this effort to reduce the wages of the organized employes was not justified by existing cirumstances then certainly the percentage reduction of non-organized employes was not justified, and unless all employes are to share in the burdens of the changed conditions it is manifestly unjust to make any

THANKED THE COURT.

Engineers Express Their Appreciation of Judge Caldwell's Decisive Action. The following preamble and resolutions were unanimously adopted by the general board of adjustment of the Brotherhood of

Locomotive Engineers on the Union Pacific whereas, An effort has been made by the management, under the receivers, of the Union Pacific system of rallways to reduce the schedules of pay and to abrogate the rules, regulations and conditions of employment of the employes of said system engaged in train and engine service and to substitute others therefor, the same having been sought to be accomplished withou

proper notice and without a free and fair hearing of said employes, and Whereas, The employes of said system engaged in said service have sought to have their objections to such action on the part of such management fully and fairly heard and determined by a court having jurisdiction in the premises, and

tion in the premises, and
Whereas, By order of Judges Caldwell
and Sanborn, circuit judges of the Eighth
judicial circuit of the United States, a full
and fair hearing has been accorded said employes at Omaha, Neb., Circuit Judge Caldwell and District Judge Riner of the District of Wyoming sitting, commencing on the 29th day of March A. D. 1894, con-tinuing from day to day until completed

Whereas. After said full and fair hearing of all objections made by the said employes, the said Judges Caldwell and Riner have taken the matters presented at said hearing under advisement, and after full considera-tion have made their order touching said matters in said proceedings and the hearing thereunder. A new era has been inaugurated and a sovereign remedy established by precedent for the adjudication of differences between employer and employe in the management and operation of great cor-porate enterprises, and by the order of said judges organized labor has received com plete judicial recognition and given a stand-ing in one of the highest courts in the land for the adjustment of grievances. therefore, be it

Resolved. That we as a general board of adjustment, do most heartly approve and concur in the spirit and interest of the court in their action and methods of disposing of such cases, and pledge ourselves to use all the influence in our power with all laboring men directly and indirectly affected to yield a cheerful obedience to the order rendered and concur in and perpetuate the principles thus established; be it further

Resolved. That these resolutions be spread upon the records of said board of adjustment, a copy furnished the Associated press and a copy taken home by members of said board, and request that they be read in their divisions in open session at least once every three mont; a, and urge upon the mem-bership of the br. therhood the value of adhering to them, ilways admonishing so-briety and improvement of our member-ship, morally, socially and mechanically. D. H. BREES, W. W. HALL,

J. A. RANDALL, Committee on Resolutions. The resolutions after being read were signed by the whole body of engineers present as follows: George W. Vroman, chair-man; E. R. Fonda, secretary; A. Flood, J. L. Simpson, W. H. Fikes, D. H. Brees, A. L. Simpson, W. H. Fikes, D. H. Brees, A. G. Roberts, Thomas R. Reid, William Leth-bridge, Thomas Oliver, W. W. Hall, A. Preece, W. J. Ingling, J. A. Randall, J. E. Toner, J. D. Matherson, Harry Maxwell, Peter Grant, Thomas Keating, George O. Barnhart, F. A. Levitt, alternate.

AMUSEMENTS.

"Brother John" at Boyd's. There is an old saw which says that the good things are usually reserved to the last

This is particularly true of the week's performances at Boyd's, for William H. Crane rounds the week splendidly, and his new play, "Brother John," made a pronounced hit last evening. While there are faults in the construction of Martha Morton's play they are faults of commission rather than of omission. Yet there is no denying the fact that it is the very best play seen in Omaha this season. As a study of character it is worthy of a place alongside Bronson Howard's "Aristocracy," although it lacks the finer finish of that master playwright's latest comedy drama. It tells in a homely way of the ambitions of people of simple habits to shine in the world of society, and it draws in no uncertain tone true to life pictures of the parasites who feed on aspirants to the favor of Dame Fashion, having nothing but money to push them to the front. While the first act is a bit tiresome the remaining acts make up for any shortcomings in the introductory. Too much comings in the introductory. Too much cannot be said of the fourth act, which is a gem from the most critical of standpoints, the bit of tender pathos over the game of chess, and the mating which is inevitable, for John Hackett does not play a good game of chess, is a wonderfully artistic bit of work on the part of Miss Morton, who at a single leap has reached the heights aimed at by all aspiring authors in the dramatic field.

"Brother John" is by no means a one part play, and Mr. Crane is to be congratulated on the general excellence of the players supporting him. John Hackett, the well-to-do hat manufacturer of Bethel, Conn. Is a companion place to Senator

Conn., is a companion piece to Senator Hannibal Rivers, and one hardly knows which to admire most, the homely char-acterization of the down east hat maker which to admire most, the homely characterization of the down east hat maker or the brilliant senator from the west, who knows Washington life like a guide book. Both are worthy of Crane, both have added to his reputation, which grows brighter and more enduring with the passing of the years. The men in the support have been chosen with special fitness to the parts assigned them, and they are all character studies true to nature. Joseph Wheelock, ir., who comes mighty near going wrong, is excellent as the younger brother. Bobby Hackett, Boyd Putnam plays the villain with quiet tact and force, while the low comedy part is in the hands of that veteran actor, J. C. Padget. George Backus is particularly interesting as a young society swell, while the others are quite in line with those above. The ladies of the company are not a whit behind the men in ability. Lizzie Hudson Collier playing the lead with a finished style that is refreshing. Sophie Hackett lives through the cleverness of Anna O'Neill, a wonderfully sweet young woman, while Miss Gladys Wallace, who looks for all the the cleverness of Anna O'Neill, a wonderfully sweet young woman, while Miss Gladys Wallace, who looks for all the world like an Omaha society girl, is vivacious and decidedly winsome in the part of Maggie Rolan. Amy Bushby, one of the beauties of the company, is also seen to advantage. Miss Idalene Cotton, daughter of Ben Cotton, is keeping up the reputation of the family in the soubrette role of Maria, which she completely dominates by her excellent ability. And Mrs. Foster, too, adds luster to this galaxy of real players, who give one of the very best performances of the year.

"The New Nabobs" opened their return engagement at the Fifteenth Street theater last night to a large house. The cast is unchanged, but many new songs, dances and specialities are added to the produc-tion as previously given here. The en-gagement continues tonight and tomorrow night, with Saturday matinee.

Behaved Badly at the Theater. Mrs. Michael McGraw was arrested by Sergeant Sigwart last night for creating a disturbance at Boyd's opera house. The a disturbance at Boyd's opera house. The sergeant started to walk to the station with his prisoner, but when he had gone as far as Fifteenth and Harney streets the woman's husband came along and took a hand in the game by striking the sergeant and attempting to get his wife out of custody. Sigwart and McGraw had a brief, but very lively fight, which ended in Mike's arrest. Both were charged with disturbance and resisting an officer.

Waiters Alliance Elects Officers. Last night the Hotel and Restaurant Waiters alliance elected officers as follows: President, William Lewis; vice president. William Moore: recording secretary, I. A. Spaulding; financial secretary, I. ucia Singleton; executive board, F. Lynch, chairman, James Bradley, James Berger, S. K. Campbell and D. C. Reader, P. E. Clinch, A. Harnes and J. A. James were elected delegates to Central Labor union. The election of a treasurer was deferred.

PERSONAL PARAGRAPHS.

Mrs. C. F. Moore of Sloux City is the guest Mr. H. A. Babb of Denver, a representa-tive of the Daily Sun, is in the city on busi-ness. Mr. Babb says that Denver is enjoy-ing a revival of business.

returned from Vicksburg, where they spent They are the guests of Mr. and the winter. They are the guests of Mrs. B. F. Marti while in the city. John M. White, a St. Louis journalist passed through Omaha yesterday, enroute to the Black Hills and northwest Wyoming in quest of data for a work descriptive of health resorts and mining exmps of the country traversed by the B. & M. The work will contain about 200 pages, printed on fine heavy paper and profundly illustrated with the best half-tone views of Black Hills

J. W. Reese, wife and daughter Pearl have

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It is the remedy that makes people well. First prescribed by the greatest physician his country has seen, it has been used and prescribed and recommended by physicians of every school everywhere.

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Food for the muscles is not food for the nerves or brain. But Paine's celery compound furnishes the very elements that re-build worn-out nerve tissues. It feeds brain, nerve centers and nerves, calming and equal-izing their action. It makes rich honest

Within a very few days after Paine's celery compound is regularly taken there will be a marked improvement in the general health; strength will become more enduring, the frame plumper, the spirits better and the breath sweeter-all declaring in the plainest terms a healthler action of nerves and blood.

Hundreds of men and women with that run-down" feeling written all over their faces, unable to work, without courage, have recovered health, heart and ambition through this remarkable remedy for the blood and nerves. It purifies the blood. It enriches the blood. It generally stirs liver and has yet attained. It makes people well.

kidneys and the other organs destined to keep sweet and clean the vital machinery. A clear, sound mind in a sturdy, healthy body, a bright eye, an elastic step, a clear skin, come without fail when Paine's celery compound is given a trial with merely reasonable care and regularity.

Says Mr. Dudley B. Stratton, one of Worcester's best citizens, the prosperous pro-prictor o fthe Lincoln square dining rooms, in a recent letter:

"About six months ago I had a severe attack of eczema. No pen can describe my sufferings. I dectored and used all the cures I could hear of, but it was still in my

"Hearing that Mr. William H. Robinson, with the jewelry firm of Nelson H. Davis, 351 Main street, had been cured of cozema by using Paine's celery compound, I called on that gentleman, and, as a result, started to take this wonderful remedy. What Mr. Robinson told me has been proven to be true, and I take this opportunity to express my gratitude. I will gladly answer any one who may wish to inquire further in regard to the medicine."

FOR CHILLS

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To be well dressed requires a spring overcoat to be sure-other wise you can't be considered a fourhundreder-besides it might save you a doctor's bill-chills obtained from lack of wardrobe, usually leads to dissipation.

Couldn't recommend a better nor safer place to buy your coat than The Nebraska-Can't find a larger assortment if you are particular-Can't get a neater fit if you are not careless about appearance, and above all can't find a place on this planet that'll touch us on prices, within a mile-How are you-then-to beat the old reliable

For an all wool black clay worsted overcoat, Italian linedlucky to get one elsewhere as good at \$13.50.

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For an all wool overcoat-splendid fitters choice of two shades. brown or gray. You would be tickled to get one as good at \$12.50 if the Nebraska was elsewhere.

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For a good valued overcoat at \$15-The Nebraska says \$9.50 -and throw in choice of two colors-intermediate shade of black or the newest idea in dark gray-You ought to see the way they're trimmed

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Spring Catalogues are still to be had for the asking.



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