MADE THE LAWYERS HURRY

Federal Judges Bring Arguments in Maximum Rate Case to an End.

POINTS MADE IN YESTERDAY'S DEBATE

Position of Each Side Reviewed by the Other-Justice Brewer Announces that a Decision May Be Expected in Two Weeks.

Owing to pressure of business on Judge Dundy and the fact that Justice Brewer had urgent business in the east, they limited the time of the attorneys for arguing the maximum freight rate case in the federal courts yesterday morn-This decision of the judges cut short the arguments on both sides, for Mr. Webster expected to consume the entire day in concluding his arguments, and Attorney General Hastings would have liked a couple of days in which to present the points favorable to the state, while Judge Woolworth, attorney for the plaintiff railways, could have easily talked a day and

a half in conclusion. As it was the attorneys had to hastily concentrate their strongest points, and Mr. Webster began his concluding remarks by taking up the question of the earnings of the respective roads, based on valuations per mile of the cost of the railways. He said that on a valuation of \$20,000 per mile the net earnings of the B. & M. were 37.9 and on the Union Pacific 26.7 per cent. He showed where the railway companies had made large earnings on the main lines, but had squandered large sums in impractical work and the maintenance of branches, which absorbed their earnings in a desire to shut out some rival company. He design nated the management of these roads lik that of some improvident merchant who looked after pennies and missed or squandered the dollars. He showed that the B. & M. had to issue dividend stock in order to absorb its large earnings and said that other roads had to pay a heavy rate of interest on watered stock and that many of the roads fixed their bonded indebtedness as a basing rate for freight rates. This was designated as an exaction of double tribute from the people for whose benefit these roads were constructed.

He took up the figures given in Dilworth's evidence and showed that in many instances the rates made by the Newberry bill were higher than those made by th railways, and also that the railways made some rates entirely out of proportion. Mr. Webster then took up the classifica-tion of freights, by this act of the legisla-

ture, which was discussed briefly. He thought that the enactments of the law should have been enforced first by the state, and then let the railroads find out by actual experi-ence whether or not the rates were unjust. QUESTION OF LEGALITY.

Mr. Webster closed, and Attorney General Hastings began speaking on the legality of the acts of the legislature. He had prepared a large brief, setting out authorities and decisions favorable to the defense, but owing to limited time he handed copies of it to the judges for their consideration. He spoke on the intention of the Newberry enactment and went on to show that it was in no sense a persecution upon the railways, nor was it unjust to them. He discussed the rates put upon grain shipments. It was claimed that this act did not interfere in any manner of form with the interstate commerce laws, and that the federal court had no jurisdic-tion to entertain this action, either over the parties or the subject matter. He contended that the following propositions had been fully substantiated:

That the schedule of rates as provided in House Roll No. 33 can be, from the provisions, only just and reasonable rates. That the evidence fully sustains the propo tion of the rates established by said law

being reasonable. That by reason of the evidence of the com plainants and the railroad companies regarding the expenditures of their incomes they are estopped from denying the reasonable-ness of the rates in House Roll No. 33, and such being the case, he asked that the bills of the complainants be dismissed, the temporary injunction dissolved, and these de-fendants, the State Board of Transportation of Nebraska, go hence without delay. He further maintained that a railroad had no right to charge one man a certain rate and another man another rate for hauling the

same class of freight. He contended that under sections 5 and 6 of the Newberry bill, if the railways showed that these rates were unjust, such rates could be raised by the State Board of Transportation to a certain percentage, but this

the rallways refused to do. Justice Brewer asked Mr. Hastings if the state was not overlooking a question likely to arise in this and all other similar cases, to-wit: If it was not a fact that the state had permitted the railways to increase their bonded indebtedness in hopes of paying off their actual indebtedness? Mr. Hastings contended that if this was a fact, the people of the state should not now be burdened with the past dishonest acts of others. He then paid attention to the salaries paid certain class of railway officials, who dray enormous sums from the railway companies

annually for little service. Judge Woolworth took up the argument in the afternoon and began discussing the approximate cost per mile of the Nebraska roads. He held that the maximum rates would not allow the roads a remunerative percentage on the amounts invested.

The judge then took up the contention that the Newberry bill was illegally changed without the knowledge of the members by interpolations by an irresponsible third per-con. This subject was discussed at some length and then he filed his answer to the fendants' attorney. Mr. Woolworth's re-

ply in substance is "Mr. Webster thinks some of our figures were presented without seeing what they proved. He says they prove that the roads made 100 per cent in this state. Let us see what they are. He begins by taking the earnings and cost per ton per mile, and says these figures show that the companies made 100 per cent. And he takes the figures given Taylor for the Burlington and VanKuran for the Union Pacific. We are agreed then upon the figures. Taylor says that the carn-ings per ton per mile on local frieghts were. in 1892, 2.097 cents and that the cost was 1.37 cents. Deduct this from the earnings and you have 7 mills left. This is net earnings and is about 33½ per cent of gross earnings instead of 100 Here is an example of the exaggera-tions of Mr. Webster. But the data given by him lead to no result. You may have the earnings per ton per mile and the cost per ton per mile, but until you have the whole tonnage per mile you cannot de-termine whether you have any earnings. A trader may buy a quantity of cotton in bales. He knows what it cost him per bale and he knows what he wants to sell it for per bale. But if he has only ten bales he won't make enough for his trouble. But if he has 1,000,-000 bales he may make a good thing. Now, Mr. Webster did not go beyond the cost and the earnings per ton per mile, so that he reached no practical result. Let us carry the calculation to its logical result. Table page 415, given by Dilworth, gives the number of tons hauled one mile in state by the Burlington in 1892. \$1,000,000 tons. We have seen that the net parnings per ton per mile were 7 mills multiply these two and you have \$637,000 net earnings. Reductions made by the bill are 29.50 per cent of the earnings. T parnings were that year \$1,852,036 and The little over. That gives \$546,645 for reduction y the bill. Now interest also comes off the mortgage is \$20,000 per mile, or \$3,221.

71.17 in the whole state, and, reduced to local freight, is \$331,000. Add that to \$546,-445 and you have \$877,801. Deduct your net

sarnings, \$637,979, and you have a loss of

"Now take the Union Pacific. VanKuran

says the earnings on local freight per ton per mile were 1.984 cents and cost was 1.135 cents. Deduct one from the other and you have very nearly 8% mills. The table shows the number of tons hauled one mile, 42,970,322. Multiply that by 814 mills and you have \$305,247 net earnings. Reductions by the bill are \$443,187; that is more than the earnings by \$77,949, saying nothing of interest. So that Mr. Webster's calculation carried out to the end leads him into a loss. Instead of our making 100 per cent we lose over 50 per cent.
"Take his calculation again. He says the

earnings of the Burlington were \$1.853,036 and then he takes Randall's figures for cost, \$900,000, forgetting that they are corrected by him and the cost really is \$1,321,746. The correct figures spoil the wholesale statement of 100 per cent profit. But he stops there and does not follow out the calculation to the end. Take the Burlington again: luct from \$1,856,036 carnings \$1,221,746 cost and you have \$635,290, which is the net parnings; that is almost exactly what they were shown to be on the per ton per mile basis. Deduct reductions by the bill, \$546,000, and interest upon \$20,000 per mile at 5 per cent and you have a loss of \$250,000 in round numbers. The Union Pacific comes out the same and so do all the other roads. VALUE OF PROPERTY.

"Now let us see what the testimony shows the property is really worth, or what the property may be reproduced for today. Day was the engineer of the Rock Island who built the road from South Omaha to Jansen, 104 miles, since 1890. He says that it cost ill things taken into account, \$33,000 or \$34. 000 without equipment. We know that the Burlington road cost \$74,000,000 and over in this state, with 2,200 odd miles of road. That shows that the road actually cost in mone \$34,000 per mile. In addition, you must pro vide for machine shops and machinery, which are not included in House's or Wakefield's testimony, and terminals in large cities which are just as necessary for local as through business. If you make a fair allow-ance for the cost of a purely local road in this state, well built and equipped, such as the public in this state demand on the lines hen \$35,000 must be expended in its construction. Furthermore, that is what the state board found to be the value of all these properties in a thorough and extended investigation in 1892. If you take \$30,000, which is the lowest that you can take as the present value of the railroads in this state. nd allow 7 per cent interest upon the inestment, and you have under this bill rates which will not pay upon the value of the property at 7 per cent and operating expenses by \$800,000, and the same is true on the Burlington. "Now one general remark needs to be

We claim nothing here for dividends on stock; capitalization such as is described ere does not enter into the investigation. We throw the stock all aside. We are told that the Northwestern has made dividends on its stock and also on its preferred stock; there is nothing in the record to show that, even if it be true. But the Elkhorn never made a dividend of a dollar. Operating exenses and interest upon \$18,000 a mile hav absorbed all the earnings by a small margin which has been necessary and has been ex-pended in developing the property. The Burlington, we are told, has made a divi-dend of 5 per cent; very true; that certainly is not too much; but all that matter is out of the case; we do not call upon stock at all, and it makes no difference whether the amount of outstanding stock is great or lit-tle. Now, take the matter of bonds secured by mortgages; the bonds on the Elkhorn and the Omaha roads are at the rate of \$18,000 a mile and no more. The other side admit upon their own theory that the property is worth that much and more; so that in case of those two companies there is no earthly ground for contending that the property has been mortgaged and is charged with debts over and above what it is really worth. The truth is it has been bonded for nearly what

it is, worth.
"Now it is said that the main line of the Burlington yielded 37 per cent. Notice what that is upon; it is upon the backbone of the system, to which all of the other lines conribute business. Furthermore, it is upon all of the business-through, interstate and local; it is 191 miles of the through lin from the river to Denver, a distance of over 500 miles; it is 190 miles out of a total mile age of over 2,200 miles. To single that par ticular road out by itself and claim that its earnings are a just measure of the whole local rates are to be governed by the earnings on all business is also absurd. And the same is precisely true of the Union Pacific.

WOULD MAKE LOSSES GREATER. "Now we are to remember that in all this investigation the figures upon which the calculations on both sides have been made are up to the middle of 1893, and that from that time to this the loss on the business of these companies is 25 per cent. If we may take our own stand upon the present conditions and make the figures upon earnings now being made the disastrous effects of this bill would be greater. You may make these figures in any way you please, upon any data that this record contains, and the result will prove uniformly the same as those which we have worked out.

"Mr. Webster says that the tables at the end of the statement to my brief are not in evidence; that is true. But either they are taken from tables furnished by his own sec retary or from calculations accurately and undisputed from the data furnished by

"One word as to the constitutional validity of the fifth section so far as its relates to the action of the supreme court. In the state against Wheeler in 33 Nebraska the court distinctly says that its functions are purely judicial: that they cannot be perverted to an administrative character. Therefore, in that case the court held that it could not be conerted into a board to determine a contested election; no more can it be converted into board to determine whether rates are reasonable or not. To what I said in my opening about the interference of this bill with interstate commerce let me add a single word. Under the interstate commerce law these companies were compelled to make 'fair and reasonable' rates, and, having done so and formulated them in a tariff, pub-lished that tariff and filed it with the com-mission, these companies did precisely what he law required them to do. under the act of congress, acquired the vested right to charge those rates they were en-titled to without any interference whatever by the states. If such interference was in

terposed it was usurpation," OTHER ARGUMENT. Attorney Charles Green, for the B. & M. held that the legislature had no right to fix a maximum rate to the exclusion of all others. He thought that the State Board of Transportation had been given power to lower the rates, but it could not raise the rates to protect any railway company from unjust dealings. The executive power had been placed in the hands of the judiciary, and vice versa, in this instance. He made another point to the effect that the law conflicted with the interstate commerce act and

discriminated against the railways to such an extent as to be class legislation. an extent as to be class legislation.

General Hawley of the Elkhorn road followed Mr. Green and explained what effect the enforcement of the law would have on callways. He cited authorities to substanti ate him in asserting that the state could not properly become a party to this case, as it has done. He argued that the law was unonstitutional and conflicted with other laws which it was to replace, but which were no repealed and are now in full force and ef-

This completed the arguments and Judge Dundy asked Mr. Webster if it was the intention to submit five cases which are similar to this one on the same facts. This was agreed to, and Webster made a motion that missed for want of prosecution, which was the case against the Rock Island be disdone.

Judge Brewer left for Boston last night and said that he thought he would be able

to hand down a decision within two weeks. Vigilant Pretty Weil Togged Gut. GLASGOW, June 18.-The American yacht Vigilant was towed to Henderson's lock, Parteck, twenty miles northwest of this city today. The Vigilant is to be thoroughly overhauled and in every way made ready for the Clyde regatta.

FREE COAL WAS VOTED DOWN

Senator Hill Makes a Spirited Speech on His Amendment.

SEVEN VOTED FOR IT

Paper. Coal and Miscellaneous Schedules Completed Yesterday-With the Exception of Hill's Speech There Was No Controversy.

WASHINGTON, June 18 .- The senate today after some routine business entered upon the twelfth week of the tariff debate. The temperature was sweltering, the mercury standing 31 degrees in the chamber. Some private bills were passed, and while the senate was discussing a bill which had been introduced by Mr. Peffer and favorably reported by the committee on agriculture, to pay \$2,500 for an invention that would utilize electricity or gaseous vapors as a motor for agricultural machinery, the tariff bill came up. Mr. Harris, however, allowed the passage of a joint resolution directing the secretary of war to appoint a commission of engineers to examine and report upon the cost of leepening the harbors of Superior and Duluth. The tariff bill was laid before the

senate.
At the request of Mr. Platt the two paragraphs, 298 and 299, of the silk schedule passed over on Saturday were again passed over today and schedule M-"pulp, papers and books,"—was taken up. Mr. Frye of-fered a protest against the first paragraph of the schedule, placing a duty of 10 per cent on mechanically ground wood pulp and chemical wood pulp, bleached or unbleached. The production of wood pulp, said Mr. Frye, was an enormous industry, employing 70,000 men, turning out a product valued at \$35,-000,000 annually and paying an annual wage of \$23,000,000. Under the operation of the present duty the cost of paper had greatly decreased. Wood pulp had decreased in price decreased. Wood pulp had decreased in price from 4½ cents per pound to 1½ cents in the last ten years. It was produced in twenty-nine states, but principally in Maine and New York. He appealed to the other side to nake the duty specific instead of ad valorem York. and proposed an amendment to substitute equivalent specific rates, say \$2.50 per ton on wood pulp mechanically ground, chemical wood pulp unbleached \$5 per ton, and

bleached \$6.50 per ton.

The democratic members of the finance committee refused to accept the amendment and it was rejected, 20 to 23.

INCREASE IN PAPER DUTIES. The rate on sheathing paper and roof-ing felt was fixed at 10 per cent; on print-ing paper, unsized, suitable for books and spapers, at 15 per cent (an increase from he house rate on unsized paper from 12 to 15 per cent); on copying paper, filtering paper, tissue paper, sensitized paper, etc., 30 per cent (an increase of 5 per cent from the house rate); parchment paper, card board, photograph albums, wholly or partly manufactured, 30 per cent; lithographic prints, 27 per cent; lithographic labels, 45 per cent house rate 25 per cent); paper envelopes. 20 per cent; paper hangings, 20 per cent; blank books, 20 per cent; books, including pamphlets and engravings, photographs, etchings, 25 per cent; playing cards, 10 cents per pack and 50 per cent ad volorem; manufactures of paper not specially provided

This completed the pulp and paper scheduies, and the senate immediately took up schedule N, sundries. The following rates were fixed without debate: Hair, pencila and feather dusters, 30 per cent; brooms, 20 per cent; button forms, 10 per cent; agate buttons, 25 per cent; pearl and shell but tons, 1 cent per line and 15 per cent ad valorem; ivory buttons, glass, bone and born, 35 per cent; shoe buttons, 25 per cent. It was not until coal was reached that opposition developed. The house bill placed coal on the free list. The finance committee amendment placed a duty of 40 cents on bituminous coal and shale, 15 cents on slack and culm, and 15 per cent ad volorem on

As soon as the clerk had read this para As soon as the clerk had read this para-graph Mr. Hill and Mr. Peffer jumped to their feet. The New York senator was recognized, and he sent to the clerk's desk an amendment to relegate bituminous coal ind shale to the free list.

He supported his amendment with a speech. It was useless for him to enter into lengthy argument. He simply wanted to call the attention of his democratic colleagues to the fact that the country expected a dem ocratic congress in any tariff reform meas ure to place coal on the free list. During the course of his remarks Senato

Chandler interrupted Senator Hill, expressing the opinion that coal would be on the free list before the bill became a law, basing his opinion on the "serene confidence" felt by the Nova Scotia syndicate, with which Whitney was connected. Mr. Hill declared he was opposed to cer

tain features of the bill, the socialistic and populistic income tax in particular, but no one, he declared, had a right to say he was opposed to the bill and was seeking to compass its defeat. God knows what the bill will be like when it passes the senate and comes out of conference," said he passionately. "God knows how many more ex-tortions and concessions will be wrung from the unwilling hands of the committee. I re-serve the right to vote for it or not when I see what it is as a finality.

SEVEN FOR FREE COAL.

Mr. Squire, on behalf of the Washington coal interests, thought it was unfair to admit Canadian coal at 40 per cent when Canada charges 60 per cent on coal imports. Mr. Perkins explained that he should refrain from voting on this paragraph because he had a personal interest in coal mines on the Pacific coast. A vote was taken on Mr. Hill's amendment at 3:30 and it was lost—7 Messrs, Kyle, Allen, Peffer, populists; Hill and Irby, democrats, and Hansbrough and Washburn, republicans, voted in favor

of the motion. The finance committee's amendment place ng a duty of 40 per cent on bituminous coal and shale and 15 cents on coal or culm that will pass through a half inch screen was

then agreed to. Vest proposed a series of increases of he duties on gloves which were agreed to without objection. The miscellaneous sched-ule was completed without obstruction and

at 6:15 the senate adjourned.

DISCREDITED AT WASHINGTON. Chicago Police Say He is a Crank Who

Will Bear Watching. WASHINGTON, June 18 .- Every police, secret service and treasury official here regards as a pure fabrication the story published in the Post today that a grave anarchist conspiracy had been unearthed. Honore Jackson affects indignation that his name should have been used in connection with the story. Jackson's landlady is indignant that she should have been brought into the fiction by having the street and number of her house given and she does not scruple to say that Jackson wrote the article himself. DeMatters, upon whose statement the article is supposed to be based, is regarded by Chief Hazen of the secret service and by the police letectives as utterly untrustworthy. CHICAGO, June 18.—"Jackson is a crank

of the first water and therefore will bear watching," said Chief of Police Brennan today, referring to the Indian halfbroad who is the alleged leader of an alleged anarchist plot to blow up the capitol, the Treasury, war and Navy buildings at Washington. 'Last summer Jackson was affiliated with men known to be of an anarchist leaning in this city. It will be remembered there was to be a world's congress of anarchists in this city during the World's fair and that though there were no public meetings there was a secret session in Jackson's office. The police found no occasion for interfering with the meeting and nothing was done."

Cash in the Treasury. WASHINGTON, June 18 .- Cash balance in

the treasury today was \$115,284,746, of which \$68,484,446 was gold reserve. Advices from New York state that \$1,500,000 in gold was engaged today for export tomorrow, of which \$1,000,000 was taken from the sub-treasury. This leaves the amount of the

WESTERN INTERESTS IN WASHINGTON.

New Postofflees Wanted by South Dakota People-Congressional Personals.

gold reserve \$67,484,446.

WASHINGTON, June 18 .- (Special Tele gram to The Bee.)-Citizens of Campbell county, South Daketa, ask that a new postoffice be established in that county. They petition that the new office be named Vanderbilt and that J. Pratt be made postmaster Congressman Perkins this morning called

up and secured the passage of the bill granting right of way through the Omaha and Winnebago Indian reservation to the East rn Nebraska & Gulf railway.

Representative Bryan and family left for Lincoln this evening. Mr. Bryan will attend the convention of the silver democrats to

be held at Omaha June 21. Representative Mercer and wife arrived in Washington yesterday afternoon from their wedding trip. Mr. Mercer called at the Postoffice department today and succeeded in getting an assurance that additional let-ter carriers for Omaha will be allowed. The business has increased in size so rapidly that an additional force is made necessary. A special inspector has been detailed to in vestigate the matter for the purpose of as-

ertaining just how many extra carriers are

William Mackinfyre of Watertown, S. D. will be a candidate for congress on the re-publican ticket, probably to succeed Mr. Pickler. Congressman Pickler says he is confident that both he and Congressman Lu-cas will be renominated. Burleigh Milton of cas will be renominated. Burleign sinton of Redfield, S. D., will leave for his home on Thursday night. He says that he has reached the conclusion that he is not a candidate for congress. He has resigned his position as private secretary to Congressman Lucas and Ben Shannon of Huron, son of the editor of the Huronite, has been appointed to succeed him. pointed to succeed him.

The comptroller of the currency has ap-proved the selection of the Globe National bank and Union National bank of Chicago as reserve agents for the Omaha National bank of Omaha. Patents have been issued as follows Robert Sterling, Hartington, Neb., mechani-cal movement. To Iowans—John Jilek, Mon-ticello, sawing machine; Eldridge H. Noble and J. W. Ward, Postville, mop wringer; Walter B. Thatcher, Oskaloosa, ice cream

freezer. SPEAKER CRISP WAS ILL.

Representative Balley of Texas Appointed to Preside Over the House.

WASHINGTON, June 18 .- A letter from the speaker was read in the house announcing that on account of sickness he would be unable to attend the session of the house today, and appointing Mr. Bailey of Texas speaker pro tem. The deficiency bill was reported by Mr

Breckinridge of Kentucky. Mr. Sayers of Texas will have control of the bill on the floor of the house. The deficiency bill carries an appropriation of 14.890.593.

The commercial travelers' bill, to permit the issue by railroads of joint, interchange-

The senate bill granting right of way to the Eastern Nebraska & Gulf railway through the Omaha and Winnebago Indian reservation in the state of Nebraska was passed.

The anti-option bill was then launched upon its congressional voyage. Mr. Hatch opened the debate with a speech in favor of

When Mr. Hatch's time expired Mr. War ner of New York delivered a vigorous speech against the measure. Mr. Bryan of Nebraska considered this a bill to prevent gambling in farm products, and it was unjust to his constituents (who were mainly farmers) that the other men should have the right to affect the price of their product if they had taken the risk of rain and drouth and grasshoppers and cinch bugs. There was no difference between the action of the burglar who went to a man's home and robbed him of his goods and the action of the men who, on the stock exchange. drove down the price of another man's pro-duct and thus deprived him of so much to which he was justly entitled. At 5:08 the

house adjourned. WESTERN PENSIONS.

Veterans of the Late War Remembered by the General Government.

WASHINGTON, June 18 .- (Special to The Bee.)-Pensions granted, issue of June 6 were Nebraska: Original—Arthur I. Shader, Lincoln, Lancaster; William M Kelly, Rulo, Richardson, Reissue-Thomas B. Larkins, Bartlett, Wheeler. Original vidows, etc.-Hannah Waddle, Omaha widows, etc.—Hannah Waddle, Omaha, Douglas.
Iowa: Original—Eugene M. Post, Cedar Rapids, Linn: Samuel Kinder, Sabula, Jackson. Renewal+Charles W. Polley, Wilton Junction, Muscatine. Renewal and increase—Benjamin G. Stanley, Rossville, Allamakee. Increase—Marion Pease, Colfax, Jasper: Robert J. Pray, Laporte City, Black Hawk. Original widows, etc.—Mary Ann Dougherty. Ottumwa, Wapello; Mary M. Rigby, Mechanicsville, Cedar.
South Dakota: Original—Norman J. Pryor, Troy, Grant. Reissue—Abraham W. Johnson. Groton, Brown: Levi Spurling, East Pierre, Hughes Original widows, etc.—Nellie E. C. Monroe, Sioux Falls, Minnehaha.

Reissue-Ira S. Livermore Colorado: Original-George Leher, Fort Logan, Arapahoe.

Olney Put on a Sub. WASHINGTON, June 18.-Attorney Gen eral Olney said today there was no truth in the published statement that he had decided to enter suit for \$171,000,000 against the Pacific bonded railroads, but had employed Attorney Russel for the purpose of handling

Senator Gorman Back in Washington. WASHINGTON, June 18 .- Senator Gorman has returned to Washington and was in the senate today for the first time in two weeks. He has not yet entirely recovered his health.

Sloux Falls is Bemembered. WASHINGTON, June 18 .- In the deficiency bill the appropriations for completing public buildings under way sre: El Paso, Tex. \$7,000; Port Townsend, \$11,000; Sacramento, Cal., \$10,000; Sloux Falle, S. D., \$15,000.

WEALERS BREAK FOR EIBERTY.

several of the Leavenworth Crowd Escape When They Hear of Their Conviction. LEAVENWORTH, Kan., June 18 .- The jury returned a verdice finding Sanders Commonweal army guilty, as charged in he information. When the news of th veridet was conveyed to the camp of the Commonwealers on the military reservation, quite a commotion was raised. Th prisoners became excited, and a rush for liberty was made. The deputy marshals took after two men, firing on them, hitting and bringing down one man, who afterwards crawled away in the brush. During the confusion hearly forty of the convicted Wealers made good their escape. Company F. Sixth cavalry, was called from Fort Leavenworth, and the remaining prisoners surrounded and brought back to Leavenworth for safe keeping until sentenced tomorrow. The convicted men were divided into squads and sent to Topeka, Lawrence, Kansas City and Atchison to serve what sentence is given at the falls in those places. prisoners became excited, and a rush fo

Movements of Sengoing Vessels June 17. At New York-Arrived-Lochmaree, from totterdam; Friesland, from Anthwerp; auric, from Liverpool; Scheldam, from Amsterdam. At Glasgow-Arrived-Furnesia, New York. At Moville-Arrived-Sardinian,

Montreal.

At Liverpool-Arrived-Scythia, from Boston; Cufio, from New York.

At Glasgow-Arrived-Assyrian, from Montreal.

At Southampton-Arrived-Eibe, from New York.

At San Francisco, June 18-Departed-Colima, for Panams.

CYCLONE IN SIOUX COUNTY

Terrible in Its Severity, but Comparatively Small in Scops.

MUCH FARM PROPERTY DESTROYED

Man and Horse Blown Through the Roof of a Shed and Landed Two Hundred Feet Away Without Injury to Either.

HARRISON, Neb., June 18 .- (Special Telegram to The Bee.)-The north part of Sioux county was visited yesterday by a cyclone, which was terrible in its severity but comparatively small in its scope of territory. It was about twenty rods wide and five miles in length. Everything in its path was swept from the earth. A log fourteen feet in length and fifteen inches in diameter was picked up and carried a distance of sixty rods. The barns, sheds, wagons and implements of D. W. Woody were completely demolished, and ten rods of a wire fence was swept clear. Rufus Woody and his horse, in a shed, were picked up and carried through the open roof and landed again feet away. Neither received any serious damage, although Woody's face was considerably bruised by the flying sand and gravel and his clothes torn from him. No ther reports of damage have yet come in.

RAIN AND HAIL.

Stones of Regulation Size Fall at Exeter.

EXETER, Neb., June 18 .- (Special to The Bee.)-This section of the country was visited by a tremendous rain and hail storm this morning about 3 a. m., and lasted nearly an hour. Many hailstones the size of hen eggs were picked up. The most of them were flat and round and about the size and shape of quarter and half dollars. A number of window glasses were broken. Gardens were pounded into the earth and small fruits were nearly all stripped off the trees and bushes. There has not been as much water on the ground for two years as there is this morning. Another nice shower fell about 7:30 a.m. Such of the farmers as have come in from the country report that their crops were not damaged to any great extent. GORDON, Neb., June 18.—(Special Tele-gram to The Bee.)—A fine rain fell here last night. This rain, on top of that last week, insures about three-fourths of a crop of small grain, as it brought the wheat out wonderfully. The prospect for a corn croj is better than it has been here for five years YORK, Neb., June 18 .- (Special to The

Bee.)—A copious rain fell here early this morning refreshing vegitation and making farmers feel confident of a good corn crop. The rains of the past two weeks have brightened the prospects very much. The oats and wheat, which were supposed to have been beyond recovery, will make part of crop. LAWRENCE. Neb., June 18.—(Special to The Bee.)—This section was twice visited last week by beautiful rains, which though too late for small grain gave goed promise of big corn, hay and potato crops.

SURPRISE, Neb., June 18.—(Special to

The Bee.)—There was a heavy shower this morning, lasting about three hours. Crops

are picking up finely.

DUNCAN, June 18.—(Special to The Bec. The dry, hot weather which has prevailed the last ten days was broken by a heavy rain this morning. While it is too late to do wheat and oats any good it will make FALLS CITY, Neb., June 18 .- (Special to

The Bee.)—A bountiful rain commenced her-this morning and has continued all day The prospects for corn are now great and farmers say that the yield this year will be greater than ever before.

STERLING, Neb., June 18.—(Special to The Bee.)—Rains are coming thick and fast now. The Nemaha has risen quite rapidly and much damage was done to the mill dam. causing suspension of work at the mill Cherries turned out to be an abundant crop in this locality and are on market at the

GREELEY CENTER, Neb., June 18.-(Special Telegram to The Bee.)—A heavy rain of an hour's duration fell here this norning and the ground is now thoroughly soaked and Greeley county will have an im nense corn crop. BEEMER, Neb., June 18 .- (Special Tele

gram to The Bee.)-A good, soaking rain this morning has improved conditions and crops generally are looking well. PLATTE CENTER, Neb., June 18 .- (Spe cial Telegram to The Bee.)—The rain came down in torrents this morning for thre ours and will send the corn crop and garden vegetables skyward. It will be small grain, which will not be more than

one-fourth of a crop. Farmers and merchant re jubilant. BROKEN BOW, Neb., June 18.—(Special Telegram to The Bee.)—This locality was favored with another good rain last night. Many think since the recent rains that much of their wheat will make half a crop. Corn never looked better this time of the year in

Custer county. The potato crop and millet bid fair for a good yield. MONROE, Neb., June 18.—(Special to The Bee.)—The drouth was broken in this vicinity by a nice rain this morning, which will help corn and potatoes greatly. Corn is a good stand, well advanced and clean. Winter wheat will make about 60 per cent of a crop barley and rye not over 40 per cent while hay is almost a failure.

HUBBELL, Neb., June 18.—(Special to The Bee.)—Fully one inch of rain, with considerable hall, visited this locality this norning. The prospects are for a good corn

MISSOURI RIVER RISING. Doing Much Damage in the Vicinity of

Nebraska City. NEBRASKA CITY, June 18 .- (Special Tele gram to The Bee.)-The river has been rising rapidly during the past twenty-four hours and this morning overflowed the dyke at the head of the island above the opposite city. The dyke was constructed several years ago to throw the channel on the west side of the island, and should the dyke give way the B. & M. bride here would be left span-ning a creek. Several cornfields on the Iowa

outtoms are submerged.
Three thousand feet of the B. & M. track pelow Peru is below water, practically block ing the road between this city and Beatrice. Trains run from this city to Brownville, but so far no arrangements for transfer have

SIOUX CITY, June 18 .- (Special Telegram to The Bee.)-The Missouri river is rising at the rate of two feet every twenty-four lours, with reports of heavy rises above the city. The water is now higher than since 1881, when diastrous floods occurred along he river. The water was pouring over th Nebraska banka into Crystal lake today, and hundreds of acres of bottom fands above an below the city are inundated. The banks here are too high to permit an overflow, but the stage of water here is such that when i reaches Omaha it may result in some damage. Snow water from the mountains is the casion of the rice.

Houses Struck by Lightning. BEEMER, Neb., June 18 .- (Special Telegram to The Bee.)-Lightning struck the house occupied by H. Wardell this morning setting it on fire. Mr. and Mrs.

vere rendered insensible, but in a short time ully recovered. FAIRBURY, Neb., June 18.—(Special Tele gram to The Bee.)—The residence of J. S. McCoy was struck by lightning today during a severe thunder storm. The building was badly damaged and Mrs. McCoy and a young child were stunned, but have recovered from

FALLS CITY, Neb., June 18 .- (Special to The Bee.)-During a hard rain storm this

morning lightning struck the small brick school building in the north part of town damaging it to the extent of \$50.

Cloud Burst Near Wichita. WICHITA, Kan., June 18 .- A cloudburst ccurred in the southern part of this county this afternoon that was terrifle, but owing to the wires being all down no details can be secured from there. It is related that several feet of water was on the streets of Mulvane at one time. The big Arkan-sas bridge at Derby was swept away by the sudden rush of water. The supposi-tion is that alarming damage has been done.

JUDGE TOURGEE RETIRES. Not Thoroughy Satisfied with the Drift of

the Party He Leaves the Ruce. NEW YORK, June 18.-Judge Albion W. Tourgee, who has been the leading candidate for the republican nomination in the Thirty-fourth congressional district in this state, has withdrawn from the field. He has written an open letter addressed to the republicans of New York state in which he presents in de tail the reasons for his action. He says

the republican party in this state seems to him to be drifting away from its solld principles of "free speech, free soil, free men." Judge Tourgee says in conclusion: "I have an abiding faith in the American people and the voters of the republican party. I have no more doubt of their inclination and ability than I have of their ultimate determination o overthrow oppression and establish justice or all. I recognize the fact, however, that such determination must, in both cases, re-suit from individual conviction of the need and efficiency of individual action. Such con-viction can only arise from such discussion and illustration as shall bring the matter

DEMOLISHED A STREET CAR.

Eight Passengers Injured and Three of Them Likely to Die

some to the attention of every voter."

PATERSON, N. J., June 18 .- The Deckerstown express on the New York, Susque hanna & Western railroad, going at a rate of thirty-five miles an hour, ran into and demolished an electric street car at the River street crossing today. There were eight passengers, a motorman and conductor on the electric car. Three of the passengers were, it is believed, fatally and five seriously hurt. The police say that the gates of the railroad crossing were up. A switch filled with box cars obstructed the view of the track on which the express train was ap-proaching. Among those injured are: JOSHUA O'BRIEN, internal injuriez.

MATILDA CLAXTON, school teacher, injured about the head, but not seriously. LAURA BERCHERNOUGH. eacher, slightly injured about head and

ELLEN CULLEN, an elderly woman, in-ternal injuries; taken to her home. FREIDA WELLER, school teacher, injured about the head and body.

BURLINGTON EXTENSION.

Junction Will Be Effected with the Northern Pacific December 1. SHERIDAN, Wyo., June 18.—(Special to The Bee.)-The track has been laid on the Burlington extension to the town of Pass. twenty-five miles from Sheridan. Sixty subcontractors, who employ 2,000 men, are engaged on the work. Klipatrick Bros., the contractors, believe that the last spike at the junction with the Northern Pacific at Billings, Mont., will be driven by December 1.

Big Horn Basin People Organize. BUFFALO, Wyo., June 18.—(Special to The Bee.)—A mass meeting of the residents of the Big Horn basin was held at Alamo last week to perfect an organization to forward the cause of county division. The following petition to Governor Osborne is now being circulated:

now being circulated:

"Sir: The undersigned petitioners respectfully represent that they are property taxpayers, residing within the limits of Big Horn county; that they desire the same organized for all purposes of self-government; that they hereby petition for the appointment of W. D. Pickett, H. L. Perkins and W. S. Collins, residing within said county, to act as commissioners in organizing said county of Big Horn."

It is understood that the residents of Fremont county will endeavor to bring an injunction to prevent the detachment of any of the territory from that county, claiming f the territory from that county, claimi that the county does not own the requisite amount of property. The meeting authorized the president to appoint a committee to conduct the defense in the event of an injunction being brought against the petitioners.

MURDERER MARRIED IN OMAHA.

Frank A. Kurtz Makes a Last Explanation Refore Execution. CHICAGO, June 18 .- (Special Telegram to The Bee.)—Frank A. Kurtz, under sentence of death for the killing of his wife, has written the following letter to a local

CHICAGO, Ill., June 15, 1894.—To the Ed-ltor: I wish you would please correct your statement in Saturday's paper as to calling my wife Mrs. Elia Moran. We have no my wife Mrs. Ella Moran. We have no proof to show that she was married to this man, Mr. Moran, and it cannot be proved that she was the lawful wife of him, but I that she was the lawful wife of him, but I wish to state that I was married to her in Omaha, June 2, 1889. If I get a new trial I intend to prove that she was married to me. Furthermore, I want to deny what my stepchild said—that I beat and choked her. I deny that up and down. I can prove this by witnesses. I am no brute like that, but I have slapped her sometimes when she sassed or would not mind, for which I don't think the public would blame me, as a stepfather, for I wanted her to do right and grow up that way. I thought, and I think as much of her as if she were my own child. If it had not been for me her mother would have had her ruin herself on the streets.

mother would have had her run herself on the streets.

The rest of the letter is an account of alleged doings of the stepdaughter and her mother, which says that they kept certain company which Kurtz didn't like.

EXONERATED THE COMPANY.

Entombed Miners. LEAD CITY, S. D., June 18 .- (Special Felegram to The Bee.)-The body of Wil liam H. Chubb, the last of the three ill fated miners entombed at the Ajax No. mine on Wednesday last, was recovered yesterday morning, death resulting from sufficiation. The coroner's jury returned a verdict that Lee, Bartell and Chubb came o their death by the caving of a tunnel, and exonerated the company from all

SIOUX FALLS, S. D., June 18.—(Special to The Bee.)—On Wednesday and Thursday of this week there will be held in this city of this week there will be held in this city the eleventh annual convention of the South Dakota Firemen's association. This association has given up the idea of a tournament this year, and will spend a couple of days in talking over matters relative to the work of firemen. The program for the convention is as follows; Wednesday-Reception of visitors; incetting of board of control; meeting of state association. Thursday-Election of officers; annual parade; annual inspection of the Sioux Falls fire department; evening, meeting of board of control; inspection ball.

blame.

Fifth Iowa Cavalry. A meeting of the late Fifth Iowa cavalry

will be held at the Murray hotel Wednesday, June 20, at 9:30 a. m., sharp. Per order

Generally Fair and Warmer in Eastern Nebraska Tuesday. WASHINGTON, June 18.-The indications

WEATHER FORECAST.

For Nebraska-Generally fairt probably lightly warmer in the eastern portion; outheast winds. For Iowa-Fair; warmer; southeasterly

winds.
For Kansas-Fair warmer west winds.
For South Dakota-Generally fair; probably cooler in western portion; winds becoming northwest.
For Missouri-Fair; warmer, except stationary temperature in the vicinity of St. Louis; east winds.

TO CORNER THE COAL MARKET

Shrewd Scheme of Operators to Take Advantage of the Public Misfortune.

BRIBING THE MINERS TO STAY ON STRIKE

Ten Thousand Offered with a Piromse of Plenty More-Operators Threaten to Prosecute the Bribers for Con-

spiracy - The Plan Detailed.

CHICAGO, June 18 .- A special to the Times from Cincinnati says a gigantic conspiracy to corner the coal market by bribing striking coal miners has been developed here. Large holders of coal in Chicago sent an agent to this city to engineer the scheme and he offered a representative of the miners \$10,000 to stay out until October.

June 9 Mayor Montgomery of Montgomery City, W. Va., received the following telegram: "Keep the miners out at all hazards unless they get price. Will furnish \$10,000 n provisions and meet you in Cincinnati at any time." Mayor Montgomery arranged to meet the

Chicago agent here. With Montgomery came Mayor William Sharp of the Forest Hill mines, Captain Enoch Couch of Charleston and several Kanawha valley miners. Before leaving for home Montgomery telegraphed ahead to the miners stating that he would lay the Chicago proposition before them that night. The plan is for the Hock-ing valley miners to stay out also. Operators threaten prosecution to the full extent of the law for conspiracy. Before leaving "There is no limit to Montgomery said: the amount of money Chicago people are will-ing to spend. Their representatives tendered me a certified check for \$10,000. He said there would be plenty more money for the miners and he would have given me \$100,000 for myself if I had agreed to engineer the

thing through. Operators of Chesapeake & Ohio and New River coal fields are affected. The names of the speculators are unknown here.

RESUMPTION NOT PERFECTED.

Factories Resuming on the Supposition that the Strike Is All Over. PITTSBURG, June 18 .- The expected settlement of the strike and the return to work today of 15,000 of the 20,000 miners in this district has given an impetus to all kinds

of business, and the situation is more hopeful than at any time for many months. Among the large plants in this city which resumed today after a long idleness were the Carbon Iron & Steel company's works, Oliver's Twenty-sixth street works, Seeg & Co.'s works, Shoonberger & Howe and Brown & Co. The latter has been shut down for two years and started up in full, giving employment to 500 men. The Black Diamond Steel works will also begin operations this week, and the Edgar Thompson Steel works will start again as soon as a sufficient supply of coke is received. At McKeesport everything is quiet, but it is thought the tube works will start up soon, as many of the strikers have expressed a willingness to re-turn whenever the firm was ready to re-

At Scottdale the Scottdale Iron & Steele company's plant resumed in full, after an idleness of several weeks.

A well informed authority in the coal business estimates that the coal strike in this district has cost the miners in wages \$1,800,-000, taking it for granted that the normal output of the region had been maintained. In proportion to the general output this dis-trict mined about one-sixth of the coal dug in the area affected by the strike. casonable proportion between the prices add in this and other districts the loss in wages alone, says the same authority, would be over \$10,000,000. Estimating the gain of the miners by the settlement of the strike to be 10 cents a ton over former prices it will take them about one and a half years

to make up by increase of earnings for the FERRY, O., June 18.-The miners at the Laughlin Nail works, Gaylord, Long Run, Bellaire, and other mines re-turned to work today and a general break-up is expected. The Wheeling Creek miners are still out. Several factories are preparing to resume in view of a prospective fuel sur

Contrary to expectations, however, there was no general resumption of mining operations in the Pittsburg district today, al-though at most of the railroad mines and at many of the river mines the diggers have taken their tools to the pits and are making preparations to start. There are many There are many minor disputes to be settled () it will be several days before the collieries are all running. Along the Wheeling division of the Baltimore & Ohio and in the West New-ton districts the miners were nearly all at work, but in the Montour and thick vein districts the diggers were out, the operators refusing to pay but 52 cents per ton instead of 56 cents as agreed at Columbus. In the river district the men

are still out in the second and fourth The operators object to signing a yearly agreement and the miners will not go back until this is done. At Manown work has not been resumed, but will be shortly,

deputies are still on duty. UNION GAINING SUPPORT.

More and More Miners Favor the Acceptance of the Compromise.

COLUMBUS, O., June 18 .- Letters and telegrams today to the national headquarters of the United Mine Workers of America give unmistakable evidence that the sentiment in favor of sustaining the national officers is growing rapidly. It is believed at headquarters that at least two-thirds of the Ohio miners resumed work this morning, although no information had been received on which to base an estimate of the exact number, President McBride is of the opinion that all except those in the Massillon field will resume operations prior to the close of the present week.

On the Columbus & Shawncetown road the small mines are waiting to see what the proposed Adams convention Wednesday will do. The Double X mine at Shawnes is cleaning up today and expects to resume work this afternoon or tomorrow. The Columbus, Hocking Valley & Toledo railroad will move today 300 cars of coal. All the mines in the valley are in operation except New Straitsville. The works at New Straitsville are large, but the mines in New Strattsville are large, on the mines in operation are larger than the mines in Nelsonville, where the big meeting was hald Saturday night at which President McBride speke. It will be two or three McBride spoke. It will be two or three days before the railroad company moves

its usual large tonnage. ORIO STRIKERS ARE OBDURATE.

Men Say They Will Stay Out for More Pay

and Fight if Necessary. CLEVELAND, June 18 .- Reports received from points along the Cleveland, Lorraine &

Wheeling road this morning show that work was resumed at only twenty mines along the entire road. These mines were at Rock Hill. In the Massillon district not a man went to work, the miners having decided in mass meeting not to abide by the Columbus agreement. They will hold out for a 15 cent differential over the rate paid in the Hocking district. The militia continues to guard all bridges and trestles along the Cleveland,

Lorraine & Wheeling.

In conversation with miners at Camp Blee today they stated that as long as the differential was withheld not a pick would be raised, and that if scabs were chosen in their stead there would be the biggest riot. in the history of the country, and that the