

with others who take or desire to take their places.

"These employees, having taken service first with the company and afterwards with the receivers, under a general contract of employment which did not limit the exercise of the right to quit the service, their peaceful cooperation is the result of friendly argument, persuasion or conference among themselves in asserting the right of each and all to refuse further service under a schedule of revised wages which they may have no right to accept in the firm belief and expectation that a simultaneous quitting without notice would temporarily inconvenience the receivers and the public. It is in good faith and peaceable exercise of their right of quitting the service, and they are thereby only to better their condition by securing such wages as they deem just but not to injure or interfere with the action of others, they cannot be legally charged with any loss to the trust properly resulting from their cessation of work in consequence of the refusal of the receivers to accept the same. Terms upon which they were willing to remain in the service, such a loss, under the circumstances stated, would be incidental to the situation and would not constitute an employee exercising lawful rights in orderly ways or to the receivers who in good faith and peaceable exercise of their right of quitting wages, and thereby caused dissatisfaction among employees and their withdrawal from service."

The opinion concluded by holding that the act of Congress of July 2, 1909, known as the Interstate Commerce act, had no bearing on the question before the court. The order of Judge Jenkins was affirmed and the case is remanded with directions to sustain the motion to strike out to the extent indicated in the opinion.

Dr. Price's is known everywhere as "the good luck basking powder of the nineteenth century."

NEWS FOR THE ARMY.

Leaves Granted and Extended—New Assignments Made and Transfers Ordered.

WASHINGTON, Oct. 1.—(Special Telegram.)—Bramus C. Gilbreath, Eleventh Infantry, is granted leave for fifteen days; Captain Charles Hobart, Third Infantry, one month extended; Second Lieutenant Charles B. Behala, Corps of Engineers, fifteen days, extended; Captain John C. Ballance, Twenty-second Infantry, one year; First Lieutenant John B. McDonald, quartermaster, First Cavalry, two months.

Private Charles C. Tucker, company F, Second Infantry, Fort Omaha, upon his own application is placed on the retired list. First Lieutenant John T. Haines, Fifth Cavalry, is assigned to Springfield army, Mass., and First Lieutenant George W. Huchler, Eighth Infantry, to Rock Island arsenal, Ill. for one year. Captain Benjamin Mundy, assistant surgeon, will return to Fort Niobrara. Lieutenant Colonel Albert Hartuff, deputy surgeon general, detailed to a member of army retiring board at Chicago.

First Lieutenant Blanton C. Welsh, Fifteenth Infantry, will be examined by the board at Chicago. Second Lieutenant William Yates, First Cavalry, will join his troop upon its arrival at Fort Stanton, N. M. Samuel A. Kephart, Fourth artillery, will be examined at the Army building, New York, with a view to selection for transfer to the ordnance department. The following transfers in the Thirteenth Infantry are ordered: Second Lieutenant Peter C. Harris, to company A; Second Lieutenant K. Second Lieutenant Frederick W. Fuger, from company D to company I; Second Lieutenant Matthew B. Saville, from company I to company D; Second Lieutenant William A. Sater, from company K to company A.

Sugar Refiners' Shutting Down. PHILADELPHIA, Oct. 2.—The sugar trust yesterday shut down the five refineries in this city. The trust's Franklin refinery in New York is running on half time, but is only turning out soft grades, the supply of which is not expected to be sufficient to meet the needs of the market. The Philadelphia refinery, which is independent of the trust, will probably shut down today or Wednesday. The trust's refineries are expected to be shut down until the sugar on hand is disposed of. The trust's refineries in New York and the plant operated by the trust in Boston are about to shut down.

Missouri Town Has a Bad Fire. MARCELINA, Mo., Oct. 2.—A fire that started here yesterday for a time threatened the partial destruction of the city. The fire started in the Palace hotel, and before it could be extinguished, completely destroyed the structure, together with the hotel, and two or three stores. The aggregate loss is \$50,000. The fire was caused by a gas stove in the kitchen of the hotel. The hotel was built by the late John W. A. Schell, president of the trust, and was one of the most magnificent buildings in the city. The fire was caused by a gas stove in the kitchen of the hotel. The hotel was built by the late John W. A. Schell, president of the trust, and was one of the most magnificent buildings in the city.

Sugar Trust Magazines Indicted. WASHINGTON, Oct. 1.—The grand jury at St. Ockton today brought in indictments against Henry Haysom and John E. Seabury of the trust, charging them with conspiracy to defraud the government. The indictment is the first in a series of indictments against the trust. The trust is charged with conspiring to defraud the government by selling sugar at a price below the market value. The trust is also charged with conspiring to defraud the government by selling sugar at a price below the market value.

Shot and Killed His Victim. DORTON, Ala., Oct. 2.—While Lena McCreary was walking through a wood on her way to school near this place yesterday, she was assaulted by a big negro, but falling in his purpose, he choked her with his hands, and she crawled to a house some distance away, told her story and died. Enraged citizens are at this time hunting for the culprit who is caught by the law.

Food Fair Opened at Boston. BOSTON, Oct. 2.—The World's Food Fair was formally opened yesterday by Governor Greenleaf. All the available space at the Mechanics building is being used for the exhibits. The fair is the largest ever held in Boston. The fair is the largest ever held in Boston. The fair is the largest ever held in Boston.

Two in Jail. A Sorenson was arrested last night on South tenth street by Officers Luke and Carey for disturbing the peace. Archie Robinson, a sneak thief, was again arrested last night on South tenth street for touching the bill of a saloon at Eighth and Leavenworth for \$8.

McKinley Committee. All committees appointed on the entertainment of Governor McKinley on the evening of October 4 are requested to meet at the Millard hotel Wednesday evening at 8 o'clock. Chairman of Committee on Arrangements, J. T. WERTZ.

Large Flouring Mill Burned. SPRINGFIELD, Mo., Oct. 2.—The R. C. Stone flouring mill at Republic, this county, was destroyed by fire. Loss estimated at \$30,000, insurance small.

SERIES NO. 35-36. THE AMERICAN ENCYCLOPEDIA DICTIONARY. 4 200 Pages. 250,000 Words. INSTRUCTIVE AND USEFUL. A Mine of Knowledge and a Mine of Inspiration.

There are more things instructive, useful and entertaining than great books. The American Encyclopedia Dictionary, "the most complete and up-to-date work of the kind ever published, for it is at the same time a perfect dictionary and a complete encyclopedia."

Only that number of the book corresponding with the serial number of the copy is requested will be delivered. Send orders to the publishers, with 15 cents in coin, with 50 cents past due on the subscription. Send orders to the publishers, with 15 cents in coin, with 50 cents past due on the subscription.

Managers Hanlon and Ward of the Baltimore and New York clubs have agreed upon the terms of a new contract. The contract provides for a new contract. The contract provides for a new contract. The contract provides for a new contract.

Staubenville, O., Oct. 1.—National circuit bicycle races and the first annual meeting of the Staubenville cyclists here today was attended by a large crowd. Sanger's winnings were large. He won the first race, followed by the second. He won the first race, followed by the second. He won the first race, followed by the second.

Double Century in Thirteen Hours. BUFFALO, Oct. 1.—The 390-mile road record of the course from Buffalo to Erie, Pa., and return was again lowered yesterday. For the brief space of three days T. M. Mack, a local unattached road rider,

MR. BRADY LOST HIS TEMPER

Champion Corbett's Irascible Manager Allows His Feelings to Overcome Him. SECOND ROUND OF THE WIND STORM Managers and Backers Meet and Indulge in a Nice, Classical Conversation and Call Each Other Curs—No Signs of a Fight.

NEW YORK, Oct. 1.—Captain Giori, with Bob Fitzsimmons, Arthur Loomis, and Charlie White, William A. Grady, J. J. Corbett's manager, today at noon. Captain Giori posted a \$1,000 forfeit for Fitzsimmons to fight Corbett to a finish for the world's championship. Brady posted another \$1,000 and entered a counter challenge to Fitzsimmons on behalf of Steve O'Donnell, the Australian fighter traveling with Corbett.

"Will you cover Fitzsimmons' money?" Brady was asked, after a long and heated argument. "No," he shouted. "Will you cover O'Donnell's money?" Fitzsimmons was asked, and he shouted "No" so loud that every one in the building heard him.

"If you, Fitzsimmons, get the championship by default, will you stand ready to defend it against all comers?" "I will," he replied, "meest any man in the world, and I will stand ready to defend it against all comers."

Brady wanted to know what right Fitzsimmons had to sign with the Olympic club of New Orleans to fight for a \$25,000 purse, and the reply was: "I am an American citizen and I have a right to sign anywhere."

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RESULTS OF THE RUNNING TRACKS.

Three Favorites Show First in Seven Races at Lorton. CINCINNATI, Oct. 1.—At Lorton this afternoon Sandoval, Chant and Isale O. three favorites, won. The fields averaged twelve horses each and Sandoval and Chant were kept in a pocket almost all the way, both coming out in the stretch and winning by a narrow margin. Emma C and Collen were the two second choice horses to win, while Manton and Sirion were ranked third and fourth respectively. Both of these last two were some hits and both had the lead from the start. Results:

First race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Second race, purse \$100, for 4-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Third race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Fourth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Fifth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Sixth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Seventh race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Eighth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Ninth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Tenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Eleventh race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Twelfth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Thirteenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Fourteenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Fifteenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Sixteenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Seventeenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Eighteenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Nineteenth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

Twentieth race, selling, purse \$100, for 2-year-olds and upwards, mile and a sixteenth; Emma C (7) to 2 won easily by a length and a half; Manton (10) to 3 second, Sirion (10) to 2 third, Isale O (10) to 2 fourth, 1:15.7.

ROBBERS MADE A POOR HAUL

Hold Up a Southern Pacific Train Near Maricopa, Arizona. ONE OF THEM SPEEDILY CAPTURED Only Three in the Gang, and One of Them Only a Boy—Sheriff Filled the Captured Haul with Buckshot to Induce Him to Surrender.

PHOENIX, Ariz., Oct. 1.—At 12:15 a. m. the eastbound Southern Pacific train was held up one and one-half miles east of Maricopa by three men. One of the robbers crouched on the blind baggage end of Maricopa while the other two flagged the train. As it slackened up the fellow aboard passed quickly onto the engine and at the point of two revolvers they jumped the runner entirely, and proceeded ahead of the train for half or three-quarters of a mile.

In the meantime one masked robber had entered the express car, while the other stood guard outside. No shots were fired, nor were the passengers alarmed while the robbery was in progress. The engineer and fireman were walked ahead of the train, and the express car was ready to depart. All three then mounted horses which were tied near by and struck out in a southerly direction toward the Mexican line, which is fifty miles from the track. The amounts which the Wells-Fargo messenger reports as having been captured are \$100, the value of the train's report that the robbers got away with \$20,000 in gold. Their trail was taken up by Sheriff Diaz of Pinal and Murphy of Maricopa, accompanied by Deputy Sheriff and Fireman Martin to engineer, uncouple the engine and proceed ahead of the train for half or three-quarters of a mile.

The robbery was a mere boy, was not the robber who had been seen on the train, captured lead brakeman and competitor in turn the air brakes and stop the train. The other bandit covered the engineer, who, with the brakeman was compelled to get out of the express car and induce the messenger to open the door. The boy was then shoved into the car. While he was searching the express treasures the president Charles H. Mann of this city, released the train, and mounting the horses, were away.

The penalty for robbing trains in Arizona is \$100,000. Sheriff Martin of Maricopa found the trail of the robbers at the point where they had crossed the Gila river, seven miles east of Phoenix. Sheriff Martin and his posse followed the trail, but the robbers had lastly abandoned their horses. Not long after this they overhauled one of the bandits, whom they called "Red," and threw up his hands. Instead of turning upon the officers and fired, but a charge of buckshot from the sheriff's gun brought him to the ground. The prisoner, whose name is known to the sheriff, was taken from a street car man who was robbed of \$200. The robber is believed to be a member of a gang from Tonto basin, and it is suspected that they are the men who held up a stage near the Congress mine on September 13.

Work Resumed on the Panama Canal. COLON, Oct. 1.—Work on a limited scale has been resumed at the Panama canal. The resumption of work was marked by evidence of enthusiasm. The Panama Canal Company, which is in charge of the work, is expected to complete the canal by the end of the year.

Father-in-Law of Revolutionary Leader Has No Patience with His Schemes. SAN FRANCISCO, Oct. 1.—Mason Marquand, father-in-law of Carlos Ezeta, the fugitive ex-president of Salvador republic, has arrived from Central America. "Carlos Ezeta will never go back to Salvador under any circumstances," he said in an interview. "I have it from his own lips. He is weary of revolutions and political strife. I do not believe that Antonio Ezeta will be able to get on in the current report that the robbers got away with \$20,000 in gold. Their trail was taken up by Sheriff Diaz of Pinal and Murphy of Maricopa, accompanied by Deputy Sheriff and Fireman Martin to engineer, uncouple the engine and proceed ahead of the train for half or three-quarters of a mile.

San Francisco, Oct. 1.—J. C. Stubbs, third vice president of the Southern Pacific Railroad company, is enroute to Chicago, where he will join General Traffic Manager Charles H. Mann. Stubbs is expected to be in Chicago for several days. He is expected to be in Chicago for several days. He is expected to be in Chicago for several days.

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LIQUIDS IN EQUILIBRIUM.

Interesting Test of Color-Blending Which May Be Performed at the Table. Here is an interesting test of color-blending which can be performed at the dinner table, where usually all the ingredients can be found. A tall, narrow glass is the best. Four funnels are used, the ends being turned over so as to form a spout-like arrangement.

The first liquid which is poured into the glass is water. After this the funnel are used. A like quantity of water comes next, which is poured through a funnel, the banded edge of which is held to the edge of the glass. For the third liquid is used, olive oil for the fourth and alcohol last. All the liquid is poured into the glass in the same order. The separate funnels, each of which is specially lighter in weight than the preceding one, will remain in repose as long as the glass is not moved. The secret lies in the careful pouring in of the liquids through the paper funnels.

Solved the Problem. Miss Stronghold, for whom it is not a mistake you are one of the best, paid working girls when our Emancipation society tried to benefit or at least you were two years ago.

Rock Island to Change Time. Effective next Sunday, the Chicago, Rock Island & Pacific will change the running time of its trains, several of the changes being of the greatest possible importance to Omaha people. For some time the Bee has urged upon the Rock Island officials to put on a train from Atlantic and Avoca, which would give the westward-bound train an opportunity to come to Omaha in the morning, returning to their homes in the evening, thereby spending the day in the metropolis.

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