at the end of the bond, it was signed, signed by his own hand and pen.

Hill had then taken that bond to the secretary of state and said "this is my bond," and the secretary of state approved it. If that was not a good bond his office was vacant, and he sat there two years bandling millions which he had no business to touch. If that was not a good bond Hill had acted a most dishonorable part.

While it is true that public officers at times receive checks, drafts and certificates of deposit, that fact does not invalidate the law of the land, which is that they do so at their own risk. The treasurer of the state is accountable for every dollar that comes into his bands. That will be so held by this court. On whom was the risk when Hill deposited that \$225,000? Upon Hill and his bondsmen. The state is not prosecuting Hill and his bondsmen are liable for the state is and your bondsmen are liable for the you and your bondsmen are liable for the amount of that money. Again and again the courts have held that when the treasurer of

of state funds to Bartley. The law as it existed at the time of the alleged transfer is the law under which this case is to be tried. If the court shall tell the jury that the depository law released Hill's responsibility it can do nothing but find for the defendant.

Judge Wakeley closed his opening with the remark that he should probably have more to say incidentally as the case progressed. Prior to the non recess Judge Broady, special counsel for John E. Hill, said that he would make a separate presentation of the case of his client to the jury.

OPENING OF THE DEFENSE. Attorney Rinaker for the defense followed Judge Wakeley at the opening of the afternoon session. He said that the defense would prove that Captain Hill had honestly turned over all the money belonging to the state in his possession to the newly elected state treasurer, Bartley, and had secured a full receipt for the same. Rinaker claimed that the bond presented

by Defendant Hill to the secretary of state was in an incomplete condition, that it had not been signed and was, therefore, not bind-ing upon any of the bondsmen. It made no difference, Rinaker claimed, why the bond had never been signed by Defendant Hill, it might have been political excitement which prevented him from doing so, it might have been something else, at any rate it was not signed by himself when he entered upon his second term of offics. Hill, Rinaker said, second term of offics. Hill, Rinaker said, had received no cash when he settled with himself at the close of his first and beginning of his second term. He had taken checks, drafts and certificates of deposit, the same as he had turned over to Bartley. In short, less than I per cent of all the business done by Hill for the state was transacted with cash. That was the custom. Never would there have been any question raised concerning the legality of Hill's proceedings in his settlement had it not been for the collapse of the Capital National bank. When Hill had succeeded Treasurer Willard the Hill had succeeded Treasurer Willard the latter had turned over to Hill certificates of deposits on several banks and a credit in

the Capital National bank of over \$200,000.
Rinaker dwelt for some time upon the uncontradicted fact that it had been the custom of all preceding state treasurers to deposit money in banks, draw interest thereon and

the cash of the state. Had Captain Hill stored up the state's funds in the state's vaults he would have been guilty of criminal negligence. It would have been unsafe and rackless. The evidence would show that Captain Hill had properly accounted for all the money in his charge at the time he made a settlement with Treasurer Bartley. With the exception of the \$236,000 in certificates in the Capital National, all the others had proven good paper, equivalent to cash. In the Capital National the state had received in exchange for the capital second in exchange for the certificates open credit on the bank's book for \$285,000.

HISTORY OF THE DEPOSITORY LAW. Then Rinaker went into the history of the state depository law. He showed that the Capital National had, under that law, given a bond of \$700,000. It then had the right to not only request but demand a deposit up to the amount of \$350,000. The bank had been made. up to the amount of \$350,000. The bank had been made a legal depository and Bart-ley's credit of \$285,000 was treated as cosh and turned into the new depository as cash. The bank had a good reputation for solidity, as was shown by the number of its depositors. When the bank had failed the state had filed a claim with the receiver for the full amount of \$236,000.

Here Judge Wakeley interrupted by saying: "I desire to call the attention of the counsel

"I desire to call the attention of the counsel to the fact that the state did no such thing."
"Well, State Treasurer Bartley did." "That is true.

"I will qualify the statement and say that Treasurer Bartley filed the claim against the Rinaker then thanked the jury and re-red. Judge Broady opened for Defendan

Hill.

He said that to maintain this action the state must show that there was a complete bond. That was true so far as the bondsmen were concerned. With Hill it was different. Even if the bondsmen were relieved by the proven fact of a worthless bond, Captain Hill would still be held for future action. He might still be liable.

Judge Broady said that he did not think

Judge Broady said that he did not think the case had been fairly presented as a whole. For the bondsmen it had been exhausted, but it had overlooked somewhat the interests of his client, Defendant Hill.

Now the truth was, as he believed, the bond had not been signed. Why? At the time the bond was written there had been great political excitement and three governors were battling for office. It had been overlooked. the bond was written there had been great political excitement and three governors were battling for office. It had been overlooked. That was all he had to say about the bond. But in the pleadings of the state everything turns on the failure of the Capital National bank. Nothing dishonest or dishonorable is charged by the state against the character of Hill. He is accused solely of having followed out the example of his predecessors and put the state's money in a bank for safe kesping. The state claims the treasurer has no right to do this. But the judge held that this was untrue. Because when a treasurer who had put money into a bank and did not receive the identical pieces of sliver, gold or the aconversion, a loan. The state was quibbling. It had secured a credit of \$285,000 by certificates of deposit the same as it would had \$285,000 gold dollars been placed there. No more, no less.

Defendant Hill, in his answer to this suit, tells a straightforward story. When he had

Defendant Hill, in his answer to this suit, tells a straightforward story. When he had succeeded Treasurer Willard he had receipted

CUT COUPON ALONG LINE OF BORDER.

CERTIFICATE. Anticipating the Right of the Subscriber to Participate in

THE OMAHA BEE'S FREE BOOK DISTRIBUTION

WEDNESDAY, May 1.

O NE CERTIFICATE, with five cents to cover postage, mailing and clerical expenses, entitles the subscriber to one volume (paper cover), selected from the printed catalogue of the Omaha Bee Free-Book Distribution, Send coin; no stamps, ADDRESS Publisher The Omaha Boe, FREE BOOK DEPARTMENT.

Omaha, Neb.

therefore the bondamen are not liable. It has been held, however, that the sureties are he had turned over to old, reliable G. M. Bartlett, as deputy, and told him to run the sign the bond. But that is purely a question of law to be decided later on. But the state of law to be decided later on. But the state range of law to be decided later on. But the state range of law to be decided later on. But the state range of law to be significant of later and a deputy for many years. He had taken blank printed bond. He took it and wrote on the body of it "We, John E. Hill and others, do undertake," etc. In the eyes of the law it makes no difference whether he wrote his name at the top, in the middle or at the end of the bond, it was signed, signed by his own hand and pen.

The had been state treasurer himself and a deputy for many years. He had taken the capture of the cartificates of deposit from Hill, placed the credit for them. What else would be have got had be put in coin or bank notes? Wrote his name at the top, in the middle or his various bank accounts and get certificates of deposit, which he gave Bartley to look

MOSHER'S CHARACTER SHOWN UP. Judge Broady showed up the character of state or county does anything else than keep C. W. Mosher in appalling colors. He said he state or county does anything else than keep the state's money in the vault in the room below us he does so at his own peril.

It would be shown to the jury that for nearly a year prior to its collapse the Capital National bank was practically incolvent.

But that had nothing to do with the case at the county of the presence of Governor Crounse and qualified in the sum of \$500,000. A statement was read, but that had nothing to do with the case at written by Mosher, showing \$1,000,000 de-But that had nothing to do with the case at law. He has as good a right to deposit the state's money in an insolvent bank as in a sound one. It can be no defense that the bank was sound, even if it were. He put from Hill, Bartley and Governor Crounse. sound one. It can be no defense that the bank was sound, even if it were. He put the \$285,000 in a bank at his own peril, and here deceived. The defense would conthe \$285,000 in a bank at his or the state depository law cuts no figure in this case. That act went into force subsequent to his transfer of state funds to Bartley. The law as it of state funds to Bartley. The law as it of the state had been conducted for years.

Judge Broady's speech was frequently judge Broady's speech was frequently Judge Broady's speech was frequently punctuated with warm roasts of Mosher, and man, calling him a rascal and rotten to the

> Secretary of State Piper was the first witiess called for the state by Judge Wakeley. Wheedon, on behalf of the bondsmen, ob-jected to the introduction of any testimony

and was promptly overruled.

The witness produced a document purporting to be a copy of the official bond filed by ing to be a copy of the oliminat con the paper ex-Treasurer Hill. Had first seen the paper January 30, 1895. It had been in his personal care and keeping since that date. paper was passed to the counsel for the de-fense and closely inspected, General Cowin

devoting the most attention to it. Ex-Secretary of State John C. Allen corroborated the statement of Secretary of State Piper and examined the alleged bond, marked exhibit A, and identified his signature on the document. Did not remember the exact date on which he had first seen it. It had come into his possession with a number of other bonds of state officers. At the time the bond was approved there were certain state officers present, but he could not say who they were. "Did one or more present this bond for Governor Thayer's approval?" asked Judge Wakeley. "I do not know. In fact, I do not remem-

ber of presenting my own bond to Governor Thayer." "Were these bonds presented to Governor

"What occurred?"
"As I recollect it several hours elapsed before Boyd was declared governor.
"Then what occurred?" "My memory is rather indistinct."

Mr. Hill was one of the state officers pres-"We were all rather excited at the tim I think Treasurer Hill was present and took

the oath of office.' Judge Wakeley drew out the location of the room where the approval of the bonds took place, but did not succeed in getting witness to swear that Hill presented his bond permoney in banks, draw interest thereon and turn the credits over to successding treasurers in lieu of cash. Because such had been the practice and policy of the state from its out the signature of John E. Hill. Wheedon objected and was overruled. Witness was asked to point out the signature of John E. Hill in the body of the bond, and did so. Witness had no application of the time at which this document. organization, Rinsker held that ex-Trassurer hill was within the law when he unloaded cartificates of deposit instead of cash on ment had been handed to him for filing. Did not the signature of John E. Hill in the body of the bond, and did so. Witness had no recollection of the time at which this document had been handed to him for filing. Did The state of the state Had Captain Hill. In the signature to the oath of office at the bottom of the bond, but had not been present

at the time it was signed. Cross-examined by Wheedon, said there wa considerable excitement over the contest between the two governors, Boyd and Thayer, There was a large crowd and many soldiers moving about the building. Did not recollect what room the oath of office was adminis

Ex-State Auditor Tom Benton was called to testify concerning his last settlement with ex-Trensurer Hill. He related in detail the circumstances of the settlement. Deputy State Treasurer Bartlett described minutely the transfer of the state money from the outgoing treasurer, Hill, to the present of ficial, State Treasurer Bartley, Ex-Gov ernor Thayer testified concerning the accept ance of Defendant Hill's bond. He had ac-cepted it in gool faith as the official bond of Treasurer Hill, and had always regarded it as such. To several of the questions of Judge Wakeley, Wheedon objected, but in the main he was overruled by the court. At 5 o'clock the court noted the hour for adjournment, and admonished the jury against conment, and admonished the jury against conversing with any one concerning the case at bar. They would be given in charge of a bailiff; this allowed considerable freedom otherwise than suggested by the court, which then adjourned until 10 a. m. tomorrow. Attorney General Churchill arose from a college that its attendable present trial. He sick bed to attend the present trial. He was in the senate chamber the greater por tion of the day, but is looking far from well

HAULING HAY OVER THE COAL

Opening of the Trial of the Superintendent of the Lincoln Insane Asylum, LINCOLN, April 30 .- (Special.) -- Superin-

tendent Hay of the Lincoln insane asylum, accompanied by his attorney, J. R. Webster appeared at Governor Holcomb's office promptly at 2 p. m. today. This is in conformity with the notice served upon him last week to appear to answer charges of mismanagement of the asylum, extending over nearly two years. Dr. Hay, Dr. Abbott and their attorneys were admitted into the governor's room, together with the newspaper men, and the examination proceeded. S. Z. Ross appeared for Dr. Abbatt.

Lands and Buildings. Commissioner Russell is at home, confined to his bed with a syvere attack of the grip. He has had at times a very high fever and the date of his return to public duty it indefinite. It is claimed

a very sick man.

The interstate oratorical contest between Nebraska and Kansas universities occurs at Lawrence. Kan., Friday evening, May 3. The University of Nebraska will be repre-sented by E. D. Sherman, H. A. Weaver and James McNiel. The return contest will not be held until some time next year. It has been suggested that Missouri challenge the winner of the Lawrence tournament, and such may be the result. If so, the date of the joint debate may be announced later. M. H. Simons was today appointed by the State Banking board as clerk and assistant to

by his assistants in the office that Russell

Lieutenant Townley in the office. The salary is \$1,200 per annum. Mr. Simons has been a bookkeeper in the Columbia National bank for two years or more. He is an experienced accountant and the selection is favorably

Adjutant General Barry has issued general order No. 4, granting permission to company L. First regiment, Nebraska National Guards, to participate in the interstate drill to be held at Memphia, Tenn., May 2.

12 cabinets \$3.00 at Heyn's.

The Department of the Platte to Lose Its Present Commander Very Soon.

TRANSFERRED FROM OMAHA TO ST. PAUL

General Coppinger to Take Command of the Department of the Platte in His Stead-Ruger to Washington-Merritt to Chicago

WASHINGTON, April 30 .- The expected army promotions from the higher ranks were today by Secretary Lamont. Major General Ruger has been transferred from Chicago to Washington for special duty with the secretary of war; Major General Merritt from St. Paul to Chicago; Brigadier General Brooke from Omaha to St. Paul; Brigadier General Coppinger to Omaha, relieving General Brooke; Brigadler General Wheaton from San Antonio, Tex., to Denver in place of General McCook, retired, and General Bliss to San Antonio, Tex.

General Brooke, when nformed by a Bee man that he was transferred to St. Paul could not believe the truthfulness of the nformaton, but when told that all the de-partmental commanders, with one or two exceptions, were included in the order of transfer, he called in Lieutenant Dean this side and told him to pack his trunk. had hoped to remain in Omaha," said the general, "but our life is one of obedience to a superior's orders, and of course we will find lots of friends in St. Paul. I have been with the Department of the Platte for seven years, coming here on May 5, 1888, and have grown attached to Omaha and the prople. Previous to my coming to Omaha I was for en years in command of the District of Monten years in command of the District of Mon-tans, with the Thirteenth Infantry. Before that I think I moved almost every year for twenty years. It seems like that now, as I look back over the past."

There were general expressions of regret heard throughout the army headquarters when the news became known and at once the general's private rooms were filled with his associates, who wondered much at the suddenness of the change.

IOWA STATE NOTES.

Queer Case of Suspended Animation DES MOINES, Ia., April 30.—(Special Telegram.)—At a small church where pro-

racted meetings have been held, a young tracted meetings have been held, a young lady from Lemars, Ia., went into a trance Sunday evening and did not regain consciousness for twelve hours. One lady poetically explained that the young lady had been "keeping step to a heavenly march, and fearing she might tread on any little angels who might be flying about, lost the step, and was consequently thrown into the trance." These meetings have been in progress for three weeks, and marvelous cures and trances are reported to have taken place.

place.

In the Pierce-Wailace Iowa Homestead newspaper controversy today, Judge Spurrier directed a verdlet giving Henry Wallace possession of the mailing list of the Iowa Homestead, which Pierce was opposed to giving him. Wallace is now publishing the Farm and Dairy at Ames, and the Homestead mailing list will be valuable to him.

Colonel Hogeland's Sioux City Effort. SIOUX CITY, Ia., April 30.-The advertised open air address of Colonel Hogeland, the newsboys' friend, was held last night, the newsboys' friend, was held last night, Fourth and Pierce streets. The colonel inquired if there were any homeless boys present, and one appeared on the scene, carrying at his side an accordion. The colonel requested him to get up on the box. His story was told briefly. His parents live in Italy; his age is 15. Then, to interest the boys, the colonel requested him to sing a song, and he charmed every one by singing "Little Joe," playing an accompaniment. Then a barefooted newsboy, who looked small in his bare feet and shirt sleeves in the audience of several hundred, got on the box and touched all hearts by a song. "Never Go Near the Saloon, My Boy." The colonel called for a collection for the boys, and the heart of each was gladdened with \$1.20.

Death Found film at His Desk.

gram.)-Daniel Cort, a prominent resident of Washington township, in this county, died Washington township, in this county, died suddenly today. He was found seated at his desk, where he had been engaged in writing a letter, with the pen in his hand. He was over 80 years of ags and had resided in Dubuque county fifty years. Mr. Cort had filled the offices of justice, trustee, school director and member of the Board of Supervisors for seven years, and was elected to the legislature in 1856 and again in 1864. He was a democrat of the purest variety, a member of the Reformed church and a man of the highest character. He was born in Fennsylvania of German parents and leaves five married sons and a daughter. He celebrated his golden wedding in 1885, his wife dying a few years later.

BURLINGTON, Ia., April 39.—(Special Felegram.)—Two marriages, two elopements and two divorce cases would seem sufficient to satisfy the most susceptible mortal man. Such, however, is not the case with Frank Mader, who has been employed as news agent on the St. Louis division of the Burlington. Sunday night he brought to a brilliant finish a love chase between himself and Miss Minnie Drayer, employed at the Union depot dining hall, furnishing in the history of his twenty-three years of life his third elopement, and doubtless ere this his third deal in marriage certificates. He and the fair Minnie traveled Chicagoward, where they are now spending their honeymoon. and two divorce cases would seem sufficient

VAN METER, Ia., April 30.—(Special Telegram.)—The latest swindling scheme developed here is for a man to call and engage board at reduced rates for self and others for from one to three weeks, claiming to be an agent for some eastern nursery or peddling some patent right. In each case they have a partner that will be along in two or three days, and they will look after the payment of the board bill. After about the second day the partner fails to put in an appearance and the board contractor and canvasser fails to show up also.

Brick and Tiles Not Real Estate. MASON CITY, Ia., April 30.—An interest-ing point with reference to the income tax has come up here. The Mason City Brick and Tile company in making its return claims exemption under the supreme court decision, as all its income was derived from real estate in the shape of brick and tile. The collector has refused to allow the exemption and the point may be referred to the courts.

Receiver Appointed to Do Business. CRESTON, Ia., April 50.—(Special Tele-ram.)—P. C. Winter has been appointed receiver for the Kelley block, valued at 120,000, under request of Boggs & Bull of Allegheny, Pa. The Afton High school and Afton Busillegheny, Pa. The Afton High school and Afton Busi-es and Normal college contemplate con-At a mass meeting of citizens tonight it was decided to celebrate the Fourth of July on an extensive scale.

WEATHER FOREUAST.

Showers, Followed by Cooler and Variable Winds for Nebraska. WASHINGTON, April 30.-The forecast or Wednesday is:

For Nebraska-Showers; cooler; variable For Kansas-Showers; cooler in the eastern portion; variable winds.
For Iowa and Missouri-Showers; cooler; southwest winds, becoming variable.
For South Dakota-Showers; cooler in the southeast portion; variable winds.

Strike Against Sweating. BALTIMORE, April 30.-Over 300 makers of this city, members of the United Garment Workers of America, opposed to the sweating system, are out on strike.

TELEGRAPHIC BRIEFS. At La Crosse, Wis., the temperature rose yesterday to 86, the highest for twenty-two years.

Hall fell yesterday at Houston, Minn., completely destroying all early garden crops and injuring fruit trees. All cost mines in Bellaire, O., closed yes-erday. The miners demand 60 cents per

ton and will continue work where this price is given. Over 790 miners are out. During a heavy gate yesterday 100,000 feet of lumber being brought into Duluth, Minn., by the tug Anderson for Merrill & Ring tooks and went to pieces on the harbor light house. Captain Inman has a wrecking crew at work recovering it. The storm is still on.

INTERSTATE COMMISSION.

An All Day Session and Another Promised for Today.

It was but a triffe after 9 o'clock yesterday when Interstate Commissioner Morrison and Veazey signified to the attorneys that they were ready to go ahead with the bridge arbitrary cases and Thomas L. Kimball was called to the stand. Upon his testimony the Omaha interests largely depended, and though a reluctant witness, he was clear in his statements, positive in his remembrance of events that occurred almost fifteen years ago. He stated that the officers of eastern lines had agreed with him as to the adorn lines had agreed with him as to the advisability of making the arrangement as pro-posed by the Union Pacific. Mr. Holmes on cross-examination elicted the information Twenty-five years ago the two Council Bluffs and Omaha, relatively nearer together than now. That while Omaha was larger from a census standpoint Council Bluffs was stronger in a

With Mr. Kimball's testimony the plaintiffs ested, with the understanding that they would be allowed to introduce tariffs in eviience, and the intervenors began their side of the story.

E. P. Ripley, third vice president of the Milwaukee system, was called on behalf of the railroads and it was plainly evident the able Milwaukee official was the only witness the interveners determined to call. On cross-examination Mr. Ripley stated that the Milwaukee company does not nor did it ever belong to the Transcontinental Freight association. It joins in the rates, Mr. McHugh at this point, in order to en-

rimination commenced.
General Solicitor Bowers of the Northwestern then on behalf of his company presented three schedules of rates, tables of distances, etc., as making up his case.

Mr. Mather of the Rock Island recalled

lighten the commission, stated that the dis-

Mr. Kimball and asked him as to the condi-tions existing when the bridge contract with the Milwankee was made, and he remarked it was favorable to Iowa roads. This closed the case after an agreement be-ween counsel as to the time of taking depoitions, the case to be submitted on printed

briefs. The commission convened at 2 o'clock, with Judges Morrison and Venzey in attendance, to hear the complaints of the Commercial club against the Missouri Pacific, Missouri, Kansas & Texas, Santa Fe, Rock Island and Chicago, Burlington & Quincy and Texas Pacific railroads for alleged discrimination of freight rates on cattle, hogs, dressed beef, produce and sugar in favor of Kansas City and St. Louis. It seems that those cities en-

joy a through rate on cattle and hogs which is denied Omaha. W. D. McHugh presented the case in his usual affable way to the commission and thoroughly examined his witness. Mr. Utt of the Commercial club, who testified that the rate on cattle from Montana to Kansas City was the same as to Omaha, while on Texas was the same as to Omaha, while on Texas cattle this city had to pay the Kansas City rate plus the local rate to South Omaha.

Another advantage in favor of the town on the Kaw is that if the shipper is not satisfied with their market he has the privilege of sending his stock on to Chicago at the through rate, while if the shipper here is dissatisfied with the South Omaha market he has no through rate, but is obliged to

he has no through rate, but is obliged to pay full local rates from here to Chicago. The witness told of instances in southern Nebraska where rates were exactly the same, while the towns were within ninety miles of this city and over 300 from Kansas City. M. A. Lou of the Chicago, Rock Island & Pacific gave a nice little talk from his standpoint and summed up his case from an anti-Omaha standpoint, and asked Mr. Utt sev-eral questions, but fearing the weakness of his argument gave way to Mr. Gardner Lathrop, receiver of the Atchison, Topeka & Santa Fe, who gave an interesting history of their line, and told of their shipments of cattle, etc., and intimated that their company got no benefits from Omaha and that if the shipments came via Omaha she ought to pay

for it, and made a sice speech to prove the purity of his position, giving the rates, stations along the line, etc.

Mr. Orr of the Missouri Pacific gave his idea of the Texan and Kansas City route. and thought thirt the produce nught to be taken via Kansas City. W. R. Kelly, in behalf of the Texas Pacific, told of the points covered by its sys-tem and of the best rates that it could make, and seemed to be out of the fight—and with a

for it, and made a nice speech to prove the

grievance, but reserved the right to make a showing later. Mr. Lathrop then cross-examined Mr. Utt. who said he had been connected with railroads for fifteen years and with commercial clubs, and confessed that he was somewhat up in the railroad question in this case, and stated that the lines spoken of did make a discrimination against Omaha. He gave a sketch of the roads complained of. Mr. Lathrop went after Mr. Utt in firstclass style, keeping to his points in an able

manner, and for the first time rather up-set him. But after a few minutes composure was restored, after Mr. Utt had apologized to Mr. Lathrop for having said "he possessed too great a desire to talk," or words to that effect, and things jogged along quietly, and out of the statements we gathered that the complaint was that they carried grain, cattle, etc.,from Cheyenne to Kansas City—327 miles further—for the same money that they would are entitled to the same principle of equality in making "in and out" rates that is accorded to competitive cities, such as Kansas City, Council Bluffs, Minneapolis, St. Paul, Rock Island and Davenport.

The cross-examination revealed the fact gage board at reduced rates for self and ought to make equal rates, and quite a hot little discussion took place between counsel and witness, but the judge called their attention to the fact that "business" was the of the sitting, and they settled to the task, and while one of the judges slept sweetly and the other one in-sisted upon knowing "what they were talking about," and the official reporter "growled" out loud his objection to the broil, and another long dialogue took place between Mr. Lathrop and Mr. Utt, in which neither seemed to gain ground, and each held on to his end of the "bone" in masterly style, and no end of legal lore was piled up to substantiate each side—one being "inequality of dis-crimination," and the other "the right of the company to do as they please in local mat-ters when there was no fixed rates estab-

lished. Mr. Lincoln asked Mr. Utt why he did not consider the Short Line from Cheyenne, and Mr. McHugh wanted to discuss the making of rates, but the judge called him down and said they had been listening to that sort of thing for eight years, and that the question must be discussed from a commer-cial standpoint, and not for argument.

In the direct examination of Commissioner Utt Mr. McHugh brought out the fact that hogs shipped from Nebraska points 100 miles further away from Kansas City and St. Jo-seph than from Omalis—at Omaha rates after being converted into packing house produce are shipped to St. Paul and Minne-apolis through this city at an increase of only 2 cents per hundred. On the other hand Omaha is compelled to pay 7 cents per hundred when shipping to points south of Kansas City, making a discrimination of over 300 City, making a discrimination of over 300 miles in favor of the last named place. Ad-journed until 9 o'clock this morning.

See Sam'l Burns' new china add in this

Trinity Parish Beception.

The family gathering of the parish at Trinity cathedral was well attended and had many pleasing features. The dean and wife were of course central figures, and a center from which cordial good will was radiated in every direction. Among those present were General Dandy, Colonel Chase, S. D. Barka-low, Henry W. Yates. A beautiful feature of the evening were some lovely violin soles by little 11-year-old Claire Ferran, in which the precocious talent of the child was finely ex-

Klean klothes kwick with Union Soap. Young ladies' mandolin quintette Saturday Sherman & McConnell. Puld Robbers.

BLAIR, Neb., April 30.-(Special)-Two toughs walked into the store of John Bailey in Dexterville last night about 9 o'clock, and while Mr. Bailey was cutting some tobacco for them one held a revolver while the other robbed the till of about \$7 in cash. HOW THE DEPOSED ONES TALK.

Mr. Niles-I am going home and shall

think it will be well handled. enjoy my holiday.

Mr. Griswold-I am going fishing out to Clear lake. T. J. Fitzmorris-Shall we leave you our pipes and tobacco?

Mr. Haynes-"Take this book and read It the Statutes and Constitutional Provisions of As heretofore, the Liliputians are su

getting out a regular daily newspaper. The women have been moved by an ambition to produce a paper superfor to what men usually produce. Their achievement ought to make the men double their efforts to excel.

Mr. Bodine-Please do not tell the young gali is positively prohibited in The Bee

McCullogh—I am speechless.

Haskell—I'll stay with you to the end.

Bond—I could learn to love the girl

New York, and, on being interviewed by a reporter, said he saw Miss Anthony and Miss Stewart, who were in Cleveland attending a meeting of Sorosis. Miss Anthony and Ing. cused Mr. R. of having lately changed his mind in reference to woman suf-rage, but he was not to be convinced. Mr. Rosewater said he was surprised to see Miss Anthony looking so well at her age. He had attend the funeral of J. W. Scott, and from

How We Gathered the News. One man offered us a dollar if we would make it to suit him.

The railroad men all gave us gum. The weather service man said the girl aust climb to the top of the flag staff for the report of the weather. She did.

The city council made a call of the house and tried to keep us locked in all night. We gracefully submitted. It is another matter locking up the news.

We rode in the patrol wagon and when they drove so fast we could not keep our seat, we held on to the man. We went on a good many wild chases, but generally people were polite. The weather bureau promised us a shower

How We Went to Press. We began one month ahead of time. Our terary supplement was all out of the way

n the day before the trouble reached the climax. We were told, one and all, that at 11 o'clock the forms would be locked up for the first edition. If the copy had not been ent in, the paper would appear with blank We worked with this idea in view and we have no empty columns, but shoals and shoals of copy waiting for the evening edition, and

which will probably be compelled to wait or the next woman's edition. several days, and the success of the paper is largely due to her skill and ability as a critic and an all around newspaper woman. The advertisers have been most liberal and without them there could have been no money made. In soliciting and in selling extra copies people were most kind and liberal. The accounts have not yet been audited, so that receipts are not known, but

they will be large.

The following named women compose the staff:

Philanthropy ... Mrs. F. M. Ford Clubs and Societies ... Mrs. A. N. Ferguson Household ... Mrs. F. H. Pugh

Editorial Staff-To the women of Omaha who have railled to our help, we are most grateful. spoken thanks will avail, but when we re-member the sacrifices some have made we are touched deeply. The hour of 11 o'clock has arrived, the whirl and agitation of the first edition has reached the climax, we are

going to press on time. Carson & Banks, manufacturing jewelers pay highest prices for old gold. 30 Barker

Mrs. Kopp of South Thirteenth street keeps dog. Perhaps now she wishes she did not own one. She was arrested yesterday for keeping a vicious dog. The case was post-poned until today and she was ordered to bring the dog into court. If the dog is as bad as the complaining witness says the officers around the police station will have a lively time of it.

DIED.

COLLINS-Mrs. M., aged 39 years. Funeral Thursday morning, May 2, at 9 o'clock, from the residence, 501 South Twentieth street, to St. Philomena's church. Interment, Holy Sephulcher cemetery.

SEARLES



TREATMENT BY MAIL Consultation Free We cure Catarrh, all diseases of the Nose, Throat, Chest, Stomach, Liver, Blood, Skin and Kidney Diseases, Fe-male Weaknesses, Lost Manhood, and ALL PRIVATE DISEASES OF MEN. WEAK MEN ARE VICTIMS TO NERVOUS Debility or Exhaustion, Wasting Weakness, Involuntary Losses, with Early Decay in young and middle aged; lacg of vim, vigor and weak-ened prematurely in approaching old age. All yield readily to our new treatment for loss of vital power. Call or addres with stamp for circulars, free book and receipts. Dr. Searles and Searles, 1416 Parnam



ANNOUNCEMENTS,

The Liliputians never appeared to greater look for the telegraph with great interest. I advantage than in "Humpty Dumpty Up to Date," which will be presented for the first Mr. Hardy-You have no idea how I shall time in Omaha tonight at Boyd's theater and for the remainder of the week, with matinces Thursday and Saturday. The play is an excellent extravagansa and gives the little people abundant opportunity for funmaking. Its scenic effects are dazzling and beautiful. Few plays have had such handare frequently changed, are particularly rich. the Statutes and Constitutional Provisions of As heretofore, the Liliputians are supported the States and Territories of the United States and England on Libel and Slander, With Suggestions).

Dr. Victor Rosewater—The May Day Edition of The Bee ought to be a wond rful stimulus to us poor men who are engaged in getting out a regular daily newspaper. The Men six feet tall walk under his outstretched arm, and he is obliged to stoop to pass through the doorways to the lobby of the the-

ater.
But the chief feature of interest is Franz Ebert, the comedian of the Liliputians, who is lady who has my assignment whether or not I am married.

Ebert, the comedian of the Liliputians, who is as funny as ever. Not less finished as an actor and delight in his work, however, is Mr. Snyder—Have you told all the re-porters that any mention of Trilby or Sven-gall is positive. who talks English, and thereby adds to the effect produced by his clever acting. The play tells a fairy story with the aid of dwarfs, nard assignment like a big fire or murder case will be very interesting. I hope you will have one.

Mr. Royce—You seem to have the field pretty thoroughly covered.

Mr. Percival—If you get into a tight place there is not a man but will do all be seen to help you. of Diamonds," a wonderfully fine effect, made possible only by the use of electric lights, and ending in what is called "the ribbon serpentine," a new effect of surprising beauty The audience is continuously entertained either by the spectacular effects or the cleve fun of the Liliputians. The latter compris

building last evening, it being the reunion of the older members of the association. Over quite a lengthy trip and saw many persons sixty sat down to the dainty little supper proassociation. Time was spent in social and various original toasts were given that wil doubtless be of interest to all Christian workers. Among the speakers were former presidents, secretaries, treasurers and other officers of the early days of the association.

The teasts were listened to with intense terest and the members of the "old guard" were frequently applauded.

Lindsey the jeweler is showing a nice line is sliver novelties. When down town step in and see them. 1516 Douglas.

Trouble with the Fountains.

The Women's Christian Temperance union women are having trouble already with their drinking fountains. They complain that hoodluins or mischievous boys are putting iron washers, pieces of lead and buttons into the slots, thereby raining them and rendering them useless. They ask for police protection. If the miscreants are caught they will be given the full benefit of the law. Summary justice should be dealt out.

If you skip page 19 you won't know what you've skipped. Skipping ropes are free on

Dr. Dora M. Judkins, 1615 Douglas street.

LOCAL BREVITLES.

G. W. Wertz, D.D.S., fills teeth without pain. 1607 Douglas street. AMUSEMENTS.

BOYD'S TO-NIGHT

AND THE REST OF THE WEEK.

HUMPTY DUMPTY

UP TO DATE. The sale is large, so come early if you Y. M. C. A. Old Guards Reunion.

A distinguished crowd of gentlemen met at the Young Men's Christian association [75c]; gallery, 25c.

want a seat.
PRICES-First 2 rows, Dress Circle, \$1.50; balance First Floor, \$1.00; balcony, 50c and 75c]; gallery, 25c.

> Base Ball. Opening of Championship Season, MAY 2D. Omaha vs. Quincy.

BOYD'S NEW THEATRE.

Friday and Saturday, May 10 and 11 Special Matinee for Ladies and Children Saturday May 11, at 2:30 P. M FIRST TIME HERE OF

JOHN W. SHERMAN'S WONDERFUL

ableaux -- Phantasma.

A Dream of Fairyland. A Tremendous Success. 100--People on the Stage--100 Beautiful! Mystifying! Wonderful! Living People Made to Vanish.

Human Beings Passing Through One Another! A Company of Militia Disappears Like a Flash; Groups Melting Into Vapor!

Mythological, Classical, Military, Allegorical, Historical, Comical, Miscellaneous Tableaux,

Nothing of the Kind Ever Seen Here Before!

The Grandest Effect Ever Produced!

PRICES OF ADMISSION, \$1.00--75c. Reserved Seats on sale at Kuhn's Drug Store after Monday, May 6.



1115-1117 Farnam.

Positively an Entirely New Entertainment!

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of New Novelties in the City at

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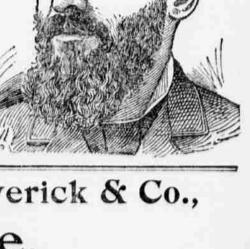
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Dr. WITHERS,

Teeth Extracted 25c Set of Teeth for \$5.00 Best Set of Teeth for \$7.50 Gold Fillings......\$1.50 and up Silver Fillings.....\$1.00 Gold Crowns.....\$6.00

DENTIST.

4th Floor Brown Block. 16th and Douglas.



Chas. Shiverick & Co., Furniture, Upholstery and Curtains

12th and Douglas.