" " AN FACEMENT'S MELT TITAKE ANAMED BROW

certificates of deposit.
"Did you receive for that \$285,000," inquired Judge Wakeley, "anything but cer-tificates of deposit from the Capital National

The court then took a recess until 2 p. m. BARTLEY'S TESTIMONY IN DETAIL. State Treasurer Bartley resumed the stand in the afternoon and identified the certifi-cates of deposit received from Hill for \$285,-600 in the Capital National bank. They were for \$150,000, \$100,000 and \$35,000 in round numbers respectively. "Did you know at that time," inquired Judge Wakeley, "one C. W. Mosher?"

Yes, sir. "Were you acquainted with the fact that was president of the Capital National

Witness then identified his signature on the certificates. Judge Wakeley read the large certificate to the jury, signed by Mosher. It was not subject to checks. By the direction of witness the certificates were sent to the bank, and he supposed that the state had been given credit for then 'Did you receive a bank pass book at the

"Have you got it with you?" Witness did not, but sent a note to his officer after it. This pass book would show, as explained by witness, the exact amount checked out before the bank failed, some \$49,000. The certificates of deposit had been passed to the state's credit, which had then pass book was brought into court, examined by the attorneys, and witness went down to his office to procure data on which the various checks drawn against the \$49,000 had Witness returned and said he with him the last check drawn, which been protested. The following checks been drawn on the bank:

29,272,66 January 18, 29,272,66 January 18, 5,000,00 January 29, Total \$3,365,26 been protested and unpaid, \$3,134.30, leaving but \$50,230.96 paid: ...\$ 710.14 January

HEADED OFF WHEEDON. National bank had been made a state de-pository, but Judge Wakeley objected, and ployed. the court sustained bim. Judge Vakeley said that they would cross that bridge when

much he had realized on the certificate of deposit, and no more than that. The fact duced, that the bank had been made a depository Dr. had, at the present, nothing to do with the

Mr. Wheedon drew from witness the fact that the certificates of deposit from the Cap-ital National bank had never been in his custody since he had deposited them in the bank and received a credit for the same.

General Cowin said that he began to consider this case in the light of a double-har-relied one, designed to catch defendants going or coming. He claimed that the whole question of deposits in other banks had been gone into on the direct examination.

Mr. Lambertson said he desired to explain his position. As he understood it, a sum equalling \$1,600,000 had been deposited in banks illegally. When the evidence had established that fact, which it certainly was doing, then the bondsmen became liable for the whole amount, and for the deficit of the Capital National bank. The burden of proof did not rest upon the state to show how much had been realized on these certificates.

ure of the bank on Sunday evening Omaha. The bank's doors had not opened ACTUAL CONDITION OF THE BANK.

Receiver A. K. Hayden of the Capital Na-ional had held such office since June 1, 893. He was examined by Mr. Lambertson. Had filled all positions in banks from mes-senger boy to cashier and was a skilled accountant. A bank examiner had taken pos-session of the bank January 22, 1893. Asked to give a statement of the condition of the bank prior to failure, it was objected to by General Cowin and overruled. Witness answered that it was insolvent, and defense You may state whether the bank was

solvent or insolvent on the 6th day of Jan-uary, the day on which the certificates of deposit were given Bartley." What amount of money did the bank

have on hand on that day?" It had \$24,256.25

How much did the bank have on hand the y it closed its doors?" "It had \$11,117.57."

"What were the liabilities of the bank?"

'Nominal and real assets?

"Nominal assets, \$1,000,000; real, \$160,000."
All of these questions were objected to and exceptions taken by the defense. The bills receivable were figured at \$999,971, and the cash was about \$11,000. "How much do you estimate the real estate worth?" asked Mr. Wheeden on cross

examination

"About \$60,000." There was due from other banks about \$7,000. Witness did not include the stock in his estimate of liabilities. One piece of real estate had been sold for \$4,000. Had figured the value of the real estate at what he considered it worth. Witness did not agree with Mr. Wheedon that when a concern falled its assets shrank 40 and 50 per cent. But he thought they might be worth 40 per cent more if the concern could go on and close up its business in its own way. The bank on the 6th of January was doing ness in the ordinary way and continued to do so up to the evening of the 21st. Had col-lected \$98,000 on the bills receivable. John D. McFarland, one of the bendsmen of Hill,

STATE MONEY ON DEPOSIT. Deputy State Treasurer Bartlett testified from a record of the monthly baniances at the Capital National bank for two years, 1891

had been Hayden's predecessor as receiver.

and	1892,	Bis 1	ollows					- 14
1891.			E165.442	25.1.1892.			Ar	vit
Jan .			\$165,442	no Jun		222000	79-417	40
Feb .			277,715	28 Feb			60,838	
Mare.	h	*****	172,053	57 Mar	th	*****	54 796	100
April	*****		142,379	87 April	1		54 791	0.0
May	*****	*****	156,683	841 May	Access	2000	125, 110	1 33
June.			126, 180	Sa Jun			18,716	183
31117	*****	ANDERS	50,650	No. July			T.Y. 645	17
Attig		*****	64,598	38 Aug			50,813	
254(1)-6	*****		53, 277	Wi Serit	0.112.00	10323	47 600	
Oct.		*****	97,140	Wort		*****	63, 353	
Nov:	*****	*****	66,500	34 Nov	10000000		67,776	
Dec		******	59,937	48 1 Nec			90,822	
Th	e am	ount	in Ja	nuary	un ta	the	time	nt
the	failur	o de	THE STATE OF	Wast	\$105 m	20.00	Per	

record showed that on January 8, 1891, there was the sum of \$1,777,489.84 in bank, and \$30,000 additional checks. Mr. Lambertson said that he now wanted to ascertain from Mr. Lambertson witness what these large certificates of deposit

CUT COUPON ALONG LINE OF BORDER.

Anticipating the Right of the Subscriber to Participate in THE OMAHA BEE'S FREE BOOK

CERTIFICATE

DISTRIBUTION

THURSDAY, May 2.

O NE CERTIFICATE, with five cents to cover postage, mailing and elerical exponses, 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 Niobrara Will Fill Big Contrreta. Publisher The Omaha Bee, FREE BOOK DEPARTMENT. Omaha, Neb.

were for. From time to time during the two tional, Omaha, \$200,000. There was about years they were heard of. He wished to \$100,000 in cash and the balance mainly in say frankly that if any of them were for money belonging to the permanent school fund they could not be deposited in state de positories under the law. Witness showed that they were for money belonging to temporary school funds. There were two cer-tificates under this head, one for \$37,950 and

one for \$37,114.75.

Mr. Wheedon held the state down to the pleadings in which it was not alleged that any permanent school money was deposited in the Capital National bank. Mr. Lambert son said he thought it was admissible to show what kind of moneys had have been deposited. Judge Broady said that there was nothing in the petition of the reply relating to this point, and that the defense had not had notice. Mr. Lam-bertson closimed the right to show the character of the moneys and was sustained by the court. Witness said that he did no know of any of the permanent school fund having been desposited. The court pressed Mr. Lambertson to answer if he were not anticipating a future movement to show that even under the state depository law. Hill had no right to deposit certain moneys in the Capital National bank. Lambertson admitted the fact and the court sustained Mr. Wheedon's objection

Pending Witness Bartlett's testimony, the court adjourned until tomorrow morning.

HEARING OF DR. HAYS CONTINUED

Asylum Employes Give the Superintender

Good Character Recommendations. LINCOLN, May 1 .- (Special.)-Drs. Knapp and Manary testified before Governor become subject to check. Here the bank Holcomb in behalf of Dr. Hay, against whom serious charges of mismanagement of the Lincoln asylum have been preferred. General J. R. Webster, attorney for Dr. Hay, conducted the inquiry, the witnesses being occasionally cross-examined on material points by the governor. Dr. Manary, assistant physician at the asylum, read from his medical record a history of the treatment of several patients said to have been maltreated. He was asked by General Webster as to the general character of Dr. Hay for pa tience and efficiency, and he replied that it was excellent. Dr. Manary's testimony was corroborative of Dr. Knapp's, and both were strongly eulogistic of the ability and perfect fitness of Dr. Hay for the position of su perintendent of the asylum.

George J. Blodgett, a discharged patient was on the stand in the afternoon. He told a long story of abuse, and illustrated how he had been bumped around the asylam during his short term in the institution. Attendants Bear, Robbins and Morland testified in be-half of Dr. Hay. They all said they had ...\$1,134.20 In his cross-examination Mr. Wheedon been employed in other institutions, and tried to bring out the fact that the Capital that the practice in Lincoln was as good as

Mrs. Western, an attendant in the female ward, was emphatic in her opinion that good they came to it. Mr. Wheedon switched for management prevailed at the asylum. W. C. a while, but finally drifted around to it Algord, another attendant, corroborated her again, and the court sharply requested Mr. story. All the witnesses, with the exception Wheedon to keep himself within bounds and of the ex-patient, Blodgett, were put on the not try to beat around the bush and slip in stand as witnesses for Dr. Hay and proved Improper cross-examination.

Judge Wakeley said the state was only tresumed Saturday morning at 10 o'clock, trying to show by Witness Bartley just how when it is expected some testimony strongly against the superintendent will be intro

Dr. Abbott will not be obliged to wait until May 27 for the injunction case inaugurated by Dr. Hay to be decided. In the listrict court today a stipulation was signed by the two doctors and filed, setting the hearing of the injunction to prevent Abbott from interfering with Hay in the peaceful sion of the asylum for May 10. Dr. Hay filed a bond in the sum of \$500, signed by himself and S. A. Shilling, promising to pay Abbott all damages which may accrue to him should the injunction be found to have been issued without cause.

HOLCOMB WILL NAME THE UMPIRE. Since the selection of A. H. Gale as Contractor Dorgan's appraiser of prison property in his possession, to act with ex-Mayor Broatch of Omaha, a controversy has sprung up as to whether or not Governor Holcomb is authorized to appoint an umpire, making the third man in the case. Quite a number of people around the state capitol are claimad been realized on these certificates.

Witness said he had first heard of the failHolcomb will name a man, and that he will SHELBY. Holcomb will name a man, and that he will not wait the full thirty days in which he has to do so, but will name him within a very short time. The law, house roll No. very short time. The law, house roll No. hours. The ground is thoroughly soaked. 607, emphatically says the governor "shall This was the fourth rain since Sunday mornappoint," making it mandatory upon him to lo so. Mr. Gale is a well known farmer of Bassett, Rock county. He was a member of the legislature of 1891, elected on the populist ticket, but shook the party after

being elected. Fifty members of the Nebraska State Homeopathic Medical society are in attendance on the twenty-second annual meeting The morning session was a business meet The treasurer's report showed a handsome balance. This afternoon President Davis of Omaha read his annual address, which was followed by papers from various members on medical topics. The session will close Dr. Mackay, the new tomorrow afternoon. superintendent of the Norfolk asylum, is in attendance.

PRINTING CONTRACTS LET.

The state printing was let today, but on number of bids for miscellaneous blanks the printing board was not able today to figure up the difference in the bids. The Nebraska Newspaper union was awarded the printing of the senate journal, 2,000 copies, at \$2.35 Jacob North & Co. secured the house journal, 1,000 copies, at \$2.10. The Omaha Printing company was awarded the session laws, 5,000 copies, at \$5.45. The Lincoln Journal was given the printing of 100,000 vouchers for the ump sum of \$568.60. The figures received this year are a trifle lower than the average

f two years ago. Misner's bank of Shelton has been authorzed by the State Banking board to commen business on May I, with a capital of \$10,000. The incorporators are H. J. Robbins, M. G. Lee and George Misner. These three are at present owners of the First National bank, which, it is thought, will wind up its busi ness in favor of the new state bank.

Major Fechet, inspector of the Nebraska National Guards, will review the State uni-versity cadets on the campus of that institution next Friday afternoon, May 3.

WOMAN'S EDITION IN DEMAND

Much Favorable Comment Throughout the

State on The May Day Bee. BEATRICE, May 1.—(Special Telegram.)-Everybody wanted to see the ladies' edition of The Bee today and those who had not made an advance purchase of one or more besieged the newsdealers for copies. Much favorable comment as to its appearance and character of its contents was heard upon the street. The Daily Express also spoke in

og terms of the number. FREMONT, May 1 .- (Special.)-When the morning there was considerable demand for extra copies and unusual interest was taken in the paper by old subscribers. None but comments were heard and the

editorial page was especially commended

PIERCE, Neb., May 1.-(Special.)-Light ning struck a large barn on the William Manske farm, two miles east of town, last night, burning the building. Manske ran cut of his house when he saw the barn burn-ing and cut loose six head of horses and drove ten head of cattle out. A small quantity of hay, cats and cors, 100 bushels of wheat, three sets of harness, one binder and one corn planter were consumed. Value of building about \$600; insurance, \$450, in Farmers' of

Wedded at Tekamah

TEKAMAH, Neb., May 1.-(Special.)-The narriage of Miss Lida Clark to S. A. Mitten securred this morning at the home of the bride's parents, Mr. and Mrs. H. E. Clark. were about 150 guests present to witness the ceremony. Rev. Dr. Alex G. Wilson officiated. After the ceremony an elegant spread of all the delicacies of the season were served. The young couple left at 19:30 for a tour in the Rocky mountains.

NIOBRARA, Neb., May 1 .- (Special Telegram.)-A. Bade of the Ninbrara packing house received the dressed beef contract at the Yankton agency for 250,000 pounds at \$5.67 per hundred, Santee agency for 76,000 pounds at \$5.63 and the Ponca agency for 7,000 pounds at \$8.

CROP PROSPECTS IMPROVED

Encourages the Farmers.

Finest Shower in Two Years Reported in

now be hurried forward as rapidly as possible. Small gracults in excellent condition.
OTTUMWA, Las. May 1.—An inch of rain OTTUMWA, Las. May 1.—An inch of rain east to the Mississippi river. The rain is of inestimable value to crops. Torrents of Rain Throughout Nebraska

that Locality-Seed Grain Being Distributed in Liberal Quantities Quite Generally. The warmest May in the state of Ne-

braska during the past nineteen years was that of 1881, with a mean temperature of 64.7 degrees. The coldest May was that of 1892, with a mean temperature of 51.7 degrees. The average mean temperature of Nebraska for May is 58.9 degrees. The warmest day in May during the past

nineteen years occurred in May, 1894, when the mercury rose to 105 degrees. The coldest day was also in 1894, when the temperature fell to 12 degrees.

The prevailing winds for May are from he southeast; the highest velocity recorded was eighty-four miles an hour at North Platte on May 22, 1877.

The driest May during the period was that of 1894, when the average precipitation for the state was 0.91 inches. The largest precipitation was that of May, 1881, when 6.28 inches fell during the month. The average precipitation for the state as a whole in May is 3.66 inches. The following map shows the normal precipitation for May throughout the state as derived from the averages for nineteen years:



FULLERTON, Neb., May 1 .- (Special.)-The finest rain for two years fell here last evening. The farmers in Nance county are in fine spirits over the prospect for good crops. Small grain of all kinds is looking splendid, and about one-half of the corn has een planted.

Congressman Meiklejohn shipped in from North Bend 600 bushels of nice seed corn which he distributed yesterday among the farmers of this county, taking seed grain otes for same, to become due November 1 This will prove of great benefit to 1895.

GOTHENBURG, Neb., May 1.-(Special.)-This section of the country was visited by a heavy rain and hall storm last night. Many lights were broken in windows fronting south. The hall was accompanied by a strong wind, but did no great damage. It wet to the depth of a foot and small grain of all kinds is looking well. One thousand bushels of seed corn was distributed among the farmers of this section today, and if there is no great change in the weather planting will be in full blast by Mon-

ORLEANS, Neb., May 1.—(Special.)—For about two hours this afternoon the rain has been coming down in torrents. It is the best rain for over two years. About two inches have already fallen, and it is still raining. The ground is in excellent condition. Grand propsect for a large crop.

ST. PAUL, Neb., May 1.—(Special.)—In the still rain fell here. It is the best rain fell here. It is the propose a change to the association which controlled rates on his road, but as it took a unanimous vote to be secure a change at the request.

Mr. Knox had labored with the different railroad traffic managers and with the various associations, and at one time Mr. Hanley, the then traffic manager of the Santa been coming down in torrents. It is the best rain for over two years. About two inches way people squares his claim.

There was a mass meeting of the citizens held here last flight for the line of the citizens held here last flight for the line where it is used on the rain has been coming down in torrents. It is the best rain for over two years. About two inches way people squares his claim.

There was a mass meeting of the citizens held here last flight for the line where it is used on the rain has allowed traffic managers and with the various associations, and at one time Mr. Hanley, the then traffic manager of the santa railroad traffic managers of the railroad traffic managers of the railroad traffic managers and with the various associations, and at one time Mr. Hanley, the then traffic managers and with the various associations, and at one time Mr. Hanley, the then traffic managers are railroad traffic managers and with the various associations, and at one time of the santa railroad traffic managers are railroad traffic managers and with the various associations, and at one time of the santa railroad traffic managers are railroad traffic managers and with the various associations, and at one time of the santa railroad traffic managers are railroad traffic managers and with the various associations, and at one time of t

last night.
AURORA, Neb., May 1.—(Special.)—An inch of rain fell here last night, soaking the ground again nicely. The crops could hardly be in better condition at this season of the

night and it rained at intervals for twelve ing. Most of the farmers have begun corn planting. No ground will go to waste be cause of insufficient seed.

NORDEN. Neb., May 1 .- (Special.) -The hardest rain for nearly two years occurred last night, lasting about six hours. town is full of smiling faces, and a general feeling of confidence in the outlook prevails. CENTRAL CITY, Neb., May 1.—(Specia Telegram.)—An Inch of rain fell last night in this county and fully as much more this afternoon and evening. The indications are of raining tonight. The rain this afternoon was accompanied by hall. The crop outlook was never better at this time of the year.

GRESHAM, Neb., May 1.—(Special.)—This vicinity was visited by a heavy rain last night about 9 o'clock, accompanied by some hall and wind, the precipitation being about

one inch. Crops are looking splendid.

EXETER, Neb., May 1.—(Special.)—A light but much needed rain visited this part of the country about 9 o'clock yesterday he night. It will revive vegetation ver Oats, rye and wild grass are looking

CHADRON, Neb., May 1.—(Special.)—For he second time in the past three days this section has received a copious rain. Grain is nearly all planted and the outlook for a

is nearly all planted and the outlook for a good crop is most encouraging. OXFORD, Neb., May 1.—(Special Tele-gram.)—An ominous looking funnel shaped cloud, said to be a genuine twister, passed down the valley today, carrying with it great clouds of dust and debris. It dipped to the ground several times, but did no seriou damage to property, as no buildings hap pened to be in its path. A souking rain fell today, the fourth in less than a week. Crop prespects could not be better.

ELM CREEK, Neb., May 1.—(Special Telegram.)—This vicinity has been visited with two thorough soaking rains in the last twenty-four hours, insuring the crop of small grain against drouth. Rye, oats and whea LITCHFIELD, Neb., May 1 .- (Special.)

A good rain fell last night. Prospects for a rop are more promising than in two years.
O'NEILL, Neb., May 1.—(Special.)—An other heavy rain visited this section in hight. Three inches of rain fell during the four hours time the storm lasted. brings the amount of precipitation for April up to six and one-hulf inches, and is a record breaker in this section. Several trrigation dams built upon creeks in the north part of the county have been washed out by the

GENOA, Neb., May 1 .- (Special.) -- While the moisture has been sufficient to keep the ground in fair condition for planting, yet it remained for the downpour of rain last night to gladden the hearts of Genoa people with a well grounded hope of a bounteous crop. The small grain is looking fine, far above the average, and early though it be, farmers are well advanced in corn planting. The area will be greater than last year. The fruit prospects were never so good in this locality. GENOA. Neb., May 1.—(special relegram.)—During a heavy thunderstorm at 7:30 this evening an unoccupied two-story business house on Willard avenue was struck by lightning, severely shocking the inmates of GENOA, Neb., May 1.-(Special Tele lightning, severely shocking the inmates of an adjoining furniture store. Damage slight

Rain Came Too Late for Oats. AUSTIN, Tex., May 1.-The rains which commenced last week continue, and the farmers report that corn, which was dying, is reviving. Nearly all the cotton will have to be replanted. Oats are too far gone for rains to revive them and the crop will be a total failure. Grass on the range is com-

ing up, but stock water is still scarce. Too Late to Save the Wheat. KANSAS CITY, May 1.-Dispatches to the Associated press from Oklahoma and Kansas district court against the defunct American points report a general rain last night. In Oklahoma a drouth lasting almost nine months is broken, and, while wheat is beyond help, orn and oats and cotton will be greatly bene-

CEDAR RAPIDS, Ia., May 1 .- (Spicial Tele-

ALL LOOKS LEACEFUL AT PENDER

PENDER, Neb., May 1 .- (Special Tele-

gram.)-A heavy rain left the roads in bad

War Talk is Subalding as the Days Go by Without Action. NANCE COUNTY IN EXCELLENT SHAPE

> condition and Sheriff Mullin has deferred his trip to the agency to arrest Bonaparte, the Indian who assaulted the Winnebago brother-in-law of President Lemmon of the Flourney company! until temerrow morning An Indian who came in from the agency last night reported to Lemmon that Bonaparte was in hiding, but it is said that his whereabouts were given to the authorities. Ordinarily a personal encounter between Indians would not attract attention, but in this instance a relative of one of the central figures in the present land trouble was assaulted and Lemmon resented it by swearing out the warrant. It is believed that the arreat of Bonaparte is inspired by Lemmon as a test and that if Captain Beck officially recognizes the right of the sheriff at this time to make arrests at the agency for an offense committed on the reservation it would be inconsistent to offer resistance in the future should the sheriff seek to serve papers in assault cases which might accrue later on between tenants and Indian police. The sheriff believes now that he will not be hat Captain Beck will cheerfully surrender the Indian wanted.

> The Indian police in fall were to have seen voluntarily released by the authorities before the expiration of their sentence, but a rumor reached the officers that Captain Beck or Tom Sloan would make an effort to secure a writ of habeas corpus and that Slean was in Omaha or Lincoln for that purpose. It was decided to hold the prisoners, as the county authorities are eager to test the question of authority. All kinds of rumors are affoat, but the general impression now is that Mullin will

get Bonaparte without a struggle and in the event of the failure of Captain Beck to se-cure a writ of babeas corpus for the gelease of Elk and Blackhawk, he will not attempt further evictions with Indian police until the courts decide the question. Penderites claim that troops cannot be ent here as long as no blood is shed, and

while it would require very little to precipi-tate trouble, it is now evident that war talk is dwindling into whispers of peace and the entire battle will be fought out in the courts. Excitement is subsiding, but interest is by no means abated.

BURNED THE GOVERNMENT SCHOOL Disastrous Fire on the Santee Sioux Reservation in Nebraska.

NIOBRARA, Neb., May 1 .- (Special Telegram.)-The government school building at Santee agency was burned to the ground last evening. This makes the second school building that has burned within four years, and a few weeks ago a large annex burned. The loss is about \$40,000.

Wants the Overland to Settle. ELKHORN, Neb., May 1 .- (Special.)-J. C. Stubbs, burnt, ballast contractor of Mount Pleasant, Ia., is here for the purpose of effecting a settlement with the Union Pacific receivers for a balance he claims is due him on a ballast contract. Stubbs burned a kiln of ballast two miles east of this city for the FREMONT. Neb.. May 1.—(Special.)—The rain of Sunday morning has already shown its effect on crops and vegetation. The early sowing of beet seeds is reported as coming up in good shape, and will be at least

propspect for a large crop.

ST. PAUL, Neb., May 1.—(Special.)—A possible, the individual losses on account of light rain fell here yesterday afternoon and the Easter Sumsky fire and apportion the benefit fund now on hand among the principal losers pro ratas

Farmers Disagree.

GOTHENBURG, Neb., May 1 .- (Special.)-Yesterday Fred Gerdes, who lives two miles east of this city, swore out a warrant chargassault. Gerdes has the quarter section of land adjoining Nelson leased. Nelson pays no attention to this lease, but turns his stock n the land regardless of notice. Yesterday Gerdes rode out and attempted to take up the stock, when Nelson and Bameric ap-peared and Bameric beld Gerdes while Nelson drove away the stock. At the trial before Justice Linn today Bameric and Nelson pleaded guilty. Sentence will probably be

Shot the Wrong Person. LINCOLN, May 1 .- (Special Telegram.) At 6 o'clock this evening while Gustave Behrwaldt was eating his supper some colored boys began throwing stones through his winlow. He went out, followed by his wife

the boys attacked the woman. Behrwaldt went into the house and got a shotgun. As he came through the door the lock caught on screen door and the gun exploded, the charge entering the left arm of his wife. Baker Falled to Escape. LINCOLN, May 1 .- (Special Telegram.)-At 9 o'clock this evening Henry Baker, a way robbery from Douglas county, attempted

convict sent up for several years for high-As the convicts filed in to go to o escape. their cells he slipped out of the line and hid in a cell. He was not missed until he The trust company is the trustee of what is tried to secure a safer place, when he was observed and captured by one of the keepers Morrison Refused Ball.

CHADRON, Neb., May 1 .- (Special Tele gram.)-District Judges Kinkaid and Barow today handed down a decision refusing bail to Arthur Morrison, who killed A. V. Harris at Crawford some time ago. ordered, however, that he be removed to some other jail than that of Dawes county, which has for a long time been in a very

poor sanitary condition. Death of J. B. Workman EXETER, Neb., May 1 .- (Special.)-J. B. Workman died Monday morning after a long illness. He has several s ns and daughters.

J. W. Christie, who was taken ill in omaha last week, returned home Saturday evening. John Songster has taken a clerkship in the grocery establishment of J. C. Wilson of this city.

Let Them Try the Local Courts LINCOLN, May 1 .- (Special Telegram.)-The supreme court today refused to take up nandamus proceedings against the Omaha canal bond proposition. The court said, in

ubstance, that it had not the time during the trial of the Hift case to listen to argu

ments, and suggested that the Omaha courts were available to the applicants for a writ of mandamus. BEATRICE, May 1 .- (Special Telegram.) The petition of Henry Klein was filed in the district court here today asking judgment for \$1,000 against Anne Janssen as damage sustained by him in consequence of her failing to carry out an agreement of marriage made between them at her request in November, 1894, and renewed in March, 1895.

Alleged liurglars Jalied. ASHLAND, Neb., May 1 .- (Special.)-Sheriff Whitelock today received a telegram from Waverley to arrest two men who were suspected of being burglars. The men gave heir names as Jim Adams and Jack

what they are held for and are not the least bit uneasy. Defunct Bank sued. BEATRICE, May 1 .- (Special Telegram.)-Gage county commenced action today in the bank and its bondsmen for \$4,260, the amount the county treasurer had on deposit with the bank at the time its doors were closed in July, 1893.

Injured While Wrestling. ORD, Neb., May 1 .- Special Telegram.)-While wrestling with a schoolmate, Anthony gram.)-A soaking rain has been failing here | Kokes was thrown against a post and the for some hours, with prospects of its continu- point of a lead pencil pierced his "reast, ation for some hours. Corn planting will flicting a dangerous wound.

TEXAS RATES CASE HEARD

Interstate Commerce Commissioners Finish Their Work at Omaha,

FURTHER TESTIMONY AT KANSAS CITY

Local Shippers Show the Hardship of the Difference in Rates from Texas in Favor of Kansas City-Stock Yards Vitally Interested.

The Interstate Commerce commission continued taking testimony yesterday in the H. case of the Commercial chib against the various railways, wherein it is alleged that they have been discriminating in favor of St. Joseph and Kansas City on rates from the south W. N. Babcock, general manager of the

stock yards company, testified practically the same as did Commissioner Utt Tuesday. On cross-examination Mr. Hagenback asked the witness if it was not a fact that by reason of its better location and larger market Kansas City was in a position to com-mand better rates from the different roads. In answer the witness stated that Kansas The sheriff believes now that he will not be molested when he arrests Bonaparte and that that one man was heavily interested in the Kansas City stock yards and in railroads running into those yards.

In answer to another question, Mr. Babcock stated that about 600 cars of feeders had been shipped to Kansas City from this market between October 1, 1894, and March of this year, and that about 200 cars had

been bought by Omaha packers in Kansas City and shipped here for slaughter. Mr. A. J. Lanningham, who represents the Commercial Freight Bureau of Kansas City, asked Mr. Babcock if he would endeavor to have the Fremont, Elkhorn & Missouri Valley give Kansas City the same rates on stock from points north of Omaha, provided Lanningham would use his best efforts with the Missouri, Kansas & Texas to get Kansas City rates for Omaha. Mr. Babcock an-swered that he would, and then put the same question to Lanningham, who answered it

affirmatively.

John S. Knox, traffic manager of the John S. Knox, traffic manager of the Cudahy Packing company, then took the stand, and after giving a brief history of the establishment of the South Omaha market stated that by reason of the immense busi ness done by his concern, the necessity of having cattle at all times of the year and discrimination of the roads against this point Mr. Cudahy was compelled to establish a branch house in Chicago, where he could

buy Texas cattle.
At the afternoon session the Texas case was completed on behalf of the complainants, and the case was continued till next Saturday, when the respondents will intro-duce evidence at Kansas City.

On cross-examination in the afternoon Mr. Lathrop, representing the receivers of the Santa Fe, undertook to make John S. Knox admit that Omaha was receiving as favorable rates as Kansas City, but found him a tough nut to crack. Mr. Knox produced figures showing that Kansas City and St. Joseph shipped hog products to St. Paul for 24 cents per hundred, while Omaha paid 2316 cents; that on dressed beef the Kansas City rate was 30 cents, and the Omaha rate 28 cents. In going south Omaha is compelled to pay 7 cents per hundred more than Kansas City which makes the rate prohibitory so far as

to Omaha than to Kansas City, he approached the Union Pacific, which owns unleveloped salt wells near Marysville, Kan. and asked it to ship from that point, which would put Omaha on an equality with Kan-sas City. The only answer he could get was that salt was a matter of agreement between would disrupt the whole association Mr. Knox stated that on account of the injust discrimination on the Texas cattle rates Mr. Cudaby was compelled to establish a house in Chicago, and that he was now seriously considering the advisability of en-

larging the Chicago plant and decreasing the After closing this case the complaints of the Kearney merchants regarding sugar rates

were taken up. OREGON SHORT LINE CASE IN COURT Arguments for a Separate Receiver Heard

by Judge Sanborn. ST. PAUL, May 1.-The matter of the ap plication of the Oregon Short Line and Utah Northern railroad for a separate receiver came on to be heard today before Judge Sanborn in the United States circuit court. This road is a branch of the Union Pacific and is now in the hands of the receivers of the Union Pacific.

There is a motion for the appointment of separate receiver for the Oregon Short Line and Utah Northern road. The motion is made by the American Loan and Trust company of Boston, through their attorneys Davis, Kellogg & Severance, of St. Paul. and Moorefield Story and Henry Hyde of Boston. known as the consolidated mortgage upon the Oregon Short Line and Utah Northern road, amounting to \$10,000,000. Previous to this application and some time in 1893 S. H. H. Clark, Oliver W. Mink and B. Ellery Anderson were appointed receivers of the Union Pacific road, including the Oregon Short Line road. Subsequently two receivers were added. Frederic R. Coudert and John W. Doane, representing the United States. The receivers so appointed have operated the Short Line solely in the interests of the Union Pacific, and have paid no interest on the mortgages. In February application was made to Judge Gilbert in Oregon for the appointment of a separate receiver, and he appointed John M. Egan. The same application is now being heard before Judge Sanborn. It is claimed that if separate receivers are appointed the property will pay sufficient to pay the interest on its mortgages, and there being a default in the mortgages, the American Loan and Trust company claims the right of possestion. Should the Oregon remain in the hands of the present receivers it will soon be lost to the Union Pacific, because the mortgages are being foreclosed.

The attorneys opposing the application are Vinslow S. Pierce of New York and John M. Thurston of Omaha. Senator Davis began his argument this morning, and will be followed by Mr. Story and Mr. Kellogg. born has given each side two days.

MAKES TROUBLE FOR PASSENGER ME sotice Sent Out by the Union Pacific Inconveniencing Eastern Connections

CHICAGO, May 1 .- Some of the eastern connections of the Union Pacific are stirred up over the notices sent out by that line in relation to the ticketing of business going west via Omaha. They claim that as the notice now stands its effect would be to abolish the sale of the through tickets to many points west of Omaha. The notice, as ssued, reads: "On and after May 1 the Union Pacific will decline to accept over its lines between Council Bluffs and Omaha tickets having coupons reading over line west of Omaha.

ached by the Union Pacific, business which would naturally pass through Omaha. If the notice contained the words "to points reached by the Union Pacific," ticket agents They declare they have no knowledge of would know just what to do, for as the notice now stands it means that no through tickets ean he sold through Omaha to points now reached by the Union Pacific. The matter has caused great inconvenience to the eastrn connections of the Union Pacific, as the rder went into effect today. Interchangeable Mileage Laid to Rest.

There are many points west of Omaha no

CHICAGO, May 1.-Passenger representatives of the Central Traffic association lines met here today, principally for the purpose of considering the issue of an interchanges ble mileage ticket, for which the travel men have been working desperately for so time. So many of the roads were opposed to issuing such a tigket that the case of the

ing began. After a short discussion the prop osition to issue interchangeable tickets was laid on the table, where it will, without question, he allowed to remain. No other action of interest was taken in the meeting.

B. C. R. & N. Leased Lines' Officers. CEDAR RAPIDS, Ia., May L-(Special relegram.)—The annual meetings of the Cedar Rapids, Iowa Falls & Northwestern railway, the Cedar Rapids & Clinton railway, the Iowa City & Western railway and the Chicago, Decorah & Minnesota railway, leased lines of the Burlington. Cedar Rapids & Northern Railway company, were held in the company's office here today. Directors and the following officers were chosen: C. J. Ives, president and general manager; J. C. Broccksmit, vice president; W. P. Brady, secretary; S. S. Dorwart, treasurer, and H. F. White, chief enginger. The officers are the same for all the companies except the last, of which H. H. Hollister of New York is treasurer and S. S. Dorwart assistant treasurer. Cedar Rapids, Iowa Falls & Northwesters

THE EQUITY QUITS.

lts Doors Closed Last Night Recause o Financial Embarassment.

The Equity Clothing Co. will do no more ousiness at 13th and Farnam street, at least business at 13th and Farnam street, at least it looks that way by the sign that will be seen on the front door this morning.

Further particulars than this could not be learned, as none of the proprietors could be seen. It is to be hoped, however, that some sort of compromise will be made that will enable the Equity to resume.

OUTPUTOF WESTERN PACKING HOUSES

Small Increase in the Movement of Hogs for the Week.

CINCINNATI, May 1.-(Special Telegram.)-Tomorrow's Price Current will say: The western packing indicates a total of 235,060 hogs for the week, compared with 225,000 the preceding week and 20,000 the corresponding week last year, making a total of 2,129,000 since March I, against 2,155,000 a year ago, Prominent places com-pare as follows:

CITIES.	1895.	1894.
Chicago Kansas City Omaha St. Louis Cheinnati Indianapolis Mitwankee Cedar Rapids St. Joseph Sleux City St. Taul Ottumwa	795, 000 125, 000 168, 000 125, 000 80, 000 67, 000 84, 000 33, 000 56, 000 32, 000 56, 000 40, 000	716, 60 2051, 00 142, 00 73, 00 50, 00 66, 00 29, 00 47, 00 45, 00

No change is noted in the condition of Rep-The cruiser Atlanta will sail from Ke

West for Cuba today. One thousand miners in the Pocahonta listrict in West Virginia are out on a strike. Ketcham & Rothehild, furniture dealers at hicago, were burned out last night. Loss \$40,000.

General John Newton, president of the Panama Railroad company, died yesterday in New York. A heavy hall storm swept over Hudson, Wis., yesterday. Fruit and farm crops were greatly damaged. Three hundred employes of the Janesville,

Wis., cotton factory are on a strike for an increase of wages. The Utah constitutional convention yester day adopted the anti-polygamy section of the new state constitution. Governor Morton of New York has granted

respite of one week to Dr. Buchanan, the nvicted wife poisoner. John King has resigned the receivership of road and E. B. Thomas has been appointed to the position. The troubles at the mines at Minersville O., were settled by the State Arbitration board and the men have resumed work.

Wis., struck yesterday for increased wages Six hundred coal miners at Loudon, Ky. went on a strike yesterday. They want 60 cents a ton and the operators offer only 55 cents. The Social Science club of Kansas will

meet today in Leavenworth. Prominen women from all over the country will be

One thousand employes of the furnitur-factory of the Matton company at Sheboygan

present. The United States circuit court has ordered the New York & New England road, now in the hands of receivers, to be sold under the The executive offices at Lexington, Ky. were closed yesterday on account of the

central figure. The supreme council of the Uniform Rank Knights of Pythias, in session at Indian apolis, has appointed a committee to revise the secret work.

Moulders in eight different foundries i Cleveland struck yesterday for an increase it wages. Nine firms in addition to these agree to the new scale. Arguments were heary in New York yester day on the removal of C. P. Huntington to California for trial. The court took the matter

The United States marshal is organizing an armed posse to go to the Turtle Mountain reservation and arrest the turbulent Indians, for whom he has warrants. The time of the Denver Grand Army o

under advisement.

the Republic encampment was taken up yes-terday by the reports of the credentials committee and department officers. The New York legislature vesterday de feated the bill compelling women appearing in public performances to wear skirts. The Gray racing bili was also defeated in the

Judge Bellinger, at Portland, yesterday or-dered the plea of guilty made by Counter-feiter Davenport to be stricken from the locket, and he will probably be acquitted o the ground he was influenced to commit th rime by secret service agents.

Harry B. McMasters, assitant cashler of the Eau Claire (Wis.) National bank, in short \$25,000. It is said he lost the mo on the Chicago Board of Trade. Charles H Green, ex-city treasurer of the same place was arrested yesterday for embezzling \$30 000 of city junds.

98% the earlier stages of the disease, be cured. This may seem like a bold assertion to those familiar only with the means gener-

ally in use for its treatment; as, nasty cod

liver oil and its filthy emulsions, extract of malt, whiskey, different preparations of hypophosphites and such like palliatives.
Although by many believed to be incurable, there is the evidence of hundreds of ble, there is the evidence of hundreds of living witnesses to the fact that, in all its earlier stages, consumption is a curable disease. Not every case, but a large percentage of cases, and we believe, fully 98 per cent. are cured by Dr. Pierce's Golden Medical Discovery, even after the disease has progressed so far as to induce repeated bleedings from the lungs severa lingering bleedings from the lungs, severe lingering cough with copious expectoration (includ-ing tubercular matter), great loss of flesh

and extreme emaciation and weakness.

Do you doubt that hundreds of such cases reported to us as cured by "Golden Med-ical Discovery" were genuine cases of that dread and fatal disease? You need not take dread and tatal disease? You need not take our word for it. They have, in nearly every instance, been so pronounced by the best and most experienced home physicians, who have no interest whatever in misrepresenting them, and who were often strongly prejudiced and advised against a trial of "Golden Medical Discovery," but who have been forced to confess that but who have been forced to confess that it surpasses, in curative power over this fatal malady, all other medicines with which they are acquainted. Nasty codliver oil and its filthy "emulsions" and mixtures, had been tried in nearly all these cases and had either utterly failed to benefit, or had only seemed to benefit a little for a short time. Extract of malt, whiskey, and various preparations of the hypopheses. and various preparations of the hypophos phites had also been faithfully tried in vain

The photographs of a large number of those cured of consumption, bronchitis, lingering coughs, asthma, chronic nasal catarrh and kindred maladies, have been skillfully reproduced in a book of 160 pages which will be mailed to you, on receipt of address and six cents in stamps. You can then write those cured and learn their experience. their experience.

Address for Book, WORLD'S DISPENSARY MEDICAL ASSOCIATION, Buffalo, N. Y.

TIS YET SPRING,

May, the Last of the Three Great Months.

The Close of Nature's Yearly Revival Season.

Recovery is Now the Most Rapia and Lasting.

Paine's Celery Compound Makes

Vigorous Nerves.

It Purifies the Blood as Nothing Else Can Possibly Do.

As a spring remedy Paine's celery comound stands easily first in the careful judgnent of the physicians of this country.

This remarkable discovery of Prof. Edward E. Phelps, M. D., LL. D., of Dartmouth college is in fact so certainly first in the estimation of thinking men and women in every calling throughout the United States today that there can fairly be said to be no second. For strengthening the sick, restoring the spent energies of those who have become nervously exhausted, for purifying the blood and making people well. Paine's celery compound has never yet been approached by any sarsaparilla, tonic or nervine. It is as super-ior to them all as strength is superior to weakness. The remarkable results from the se of this great remedy are today known at

first hand in every city and village in The people are today thoroughly satisfied by personal experience that Paine's celery ompound makes people well.

Where the nerves have not been properly

feed and neuralgia, nervousness, inability to sleep, rheumatism and such evidences of debility have entered, Paine's celery compound have created a new appetite, restored lost strength and given courage, new blood and a strong, healthy will to live and get well

FOR A LIMITED TIME THE A HANDSOME <u>leather</u> <u>Docket</u>

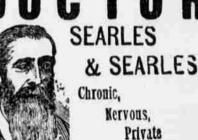
Case

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cures the effects of self-abuse, excesses, emissions, impotency, varicocele and constipation, One dollar a box, six for \$5. For sale by THE GOODMAN DRUG CO., and KUHN & CO.



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