OPPOSE THE POOLING BILL

Interstate Commerce Commission Gives Voice to Its Views.

TIME FOR LEGISLATION INOPPORTUNE

If Congress Thinks Otherwise, Proposed Measure Should Be Amended -Letter to Senator Cullom on the Subject.

WASHINGTON, May 21.-The Interstate Commerce commission has sent to Senator Cullom of Illinois the following letter in reaponse to a request for suggestions regarding the pooling bill:

ing the pooling bill:

Referring to your verbal request for suggestions from this commission or any of its members, respecting the pending senate bill No, 187, or proposed legisfation to amend the act to regulate commerce, it is not practicable in a single day to prepare a bill or to add much to the suggestions made to your subcommittee yesterday.

On January 28, 189, this commission sent to the honorable committee on interstate and foreign commerce of the house a communication, a copy of which is herewith enclosed, stating some reasons why at that time all the members of this commission opposed the passage of a bill then pending, the main provisions of which are substantially the same as that now under consideration by your honorable committee. The reasons for non-action then are stronger now, there being five or more cases pending before the United States supreme court involving the most important provisions of the act. These cases have been already tried and await the decision of the court. When decided we shall know what the law is and better know in what respect, if any, it should be changed.

SUGGESTED AMENDMENTS.

It should be changed.

SUGGESTED AMENDMENTS.

The chief purpose of those who urge immediate legislation under present conditions is to authorize pooling and undo the recent decision of the supreme court in the Transmissouri anti-trust ense, as provided in the proposed fifth section, which is identical with a like provision in the so-called Patterson bill of the house, No. 387, first session, Fifty-fourth congress. This we believe should not be done, but should congress determine otherwise, and deem it wise to authorize pooling, it should be done only on terms which will prevent the abuse of the privilege granted. In our opinion this cannot be done except by guarantees secured before the authority to pool is given and before the contract goes into effect. The carriers, whether by railroud, lake or river-for all are included—before being allowed to pool should specify their rates on the traffic or business to be pooled, and the contract, with maximum rates established as a part of it, should be subject to approval by the commission before taking effect. The provision in the proposed bill that the commission may set aside the pooling contract after it has taken effect and become operative is misleading. Any such attempt at the annulling of a contract by the commission the carriers will resist as unreasonable and unlawful and will but result in vexaltious, expensive, interminable and, to the commission, unsuccessful lawsuits. SUGGESTED AMENDMENTS.

REPEALS ANTI-TRUST LAW.

The proposed change in section 6 that "It shall be unlawful for common carriers, whether subject to this act or not, to enter into agreements not forbidden by the fifth section of this act in regard to making and maintaining the lawful rates, fares and charges specified in the separate or joint traffic schedules, published as required by this section," is intended to amend the anti-trust law as construed by the supreme court so as to exempt from that act carriers both by railroad and by water and what is said above in respect to the fifth or pooling section applies as well to this amendment of the sixth section.

The time of notice of increase and reduction of rates we believe should be extended to at least sixty days. The facility with which rates are cut or reduced on three days' notice and increased after ten days' notice leads to and encourages the practices which result in uncertainty and instability of rates and charges. In other respects the changes proposed in section 6 of the existing law, though relating chiefly to REPEALS ANTI-TRUST LAW.

bility of rates and charges. In other respects the changes proposed in section 6 of the existing law, though relating chiefly to details, are approved.

The change proposed to section 9 of the act properly drops so much of the section as relates to the crimination of witnesses testifying. The act of February II, 1853, and the so-called Brown decision constitute the law on that subject. We approve the new section 10, except the omission or repeal of the imprisonment clause. In our opinion this clause should be restored so that the court in its discretion may imprison flagrant and repeating offenders.

In the new section 12 the clause relating to the crimination of witnesses is omitted as it is in section 9 and for the reason above stated.

The proposed amendment to section 13 authorizes the commission to require an-

above stated.

The proposed amendment to section is authorizes the commission to require answers to retitions or complaints to be verified; also requires testimony to be taken flown, written out and filed, in accordance

INDEFINITE GRANT OF POWER.

INDEFINITE GRANT OF POWER.

Section 14, as proposed, repeals so much of the present law as makes the findings of the commission prima facile evidence in all judicial proceedings as to "Every fact found." This provision of existing law should be continued in full force.

Neither by the fifteenth section as it is proposed to be changed nor by any other pending provision is the commission empowered in express terms to determine what is as well as what is not a reasonable rate. Until after the decision of the social circle case, March 20, 1896, the right and duty of the commission after due notice, hearing and investigation to fix a maximum legal rate in a case tried was never seriously questioned. The authority of the commission to ascertain and declare the reasonable and legal maximum rate in cases so heard and tried has been raised and is involved in several cases awaiting decision by the supreme court already referred cision by the supreme court already referre to. If it is the purpose of congress to mak the commission only a bureau of investigation without authority through the court or otherwise to correct abuses found on in vestigation to exist, we submit that i should be plainly so stated in the law, to the end that the public may not be misled in the being that there is in existence a statute under which ascertained transportation abuses may be corrected. by the supreme court already referre

ENFORCEMENT OF FINDINGS.

In our opinion the authority of the commission, now that its authority is questioned, to determine and order reasonable rates in cases tried wher in the rates are challenged, should be granted and stated in unquestionable terms and proper means provided for enforcing such determination; and as we believe a provision of law making such determination and order of the commission obligatory on the carriers at once and until reversed or set aside by a court of competent jurisdiction, will afford the best guarantee for the observance and enforcement of such orders. If such provision for making the orders of the commission effective shall be deemed unjustifiable then other adequate means should be provided for carrying such orders into effect. For this purpose the proposed amendment of section 16 and the new section 16A, it is believed, will improve the existing law. The proposed amendments of section 20 meet our approval.

Respecting other amendments of the act to regulate commerce, we have in our annual reports, as provided for by said act, recom-ENFORCEMENT OF FINDINGS.

Respecting other amendments of the act to regulate commerce, we have in our annual reports, as provided for by said act, recommended several which are deemed essential for making the act effective in accordance with its purposes. Two of these are so urgent that we respectfully ask they may be made a part of any legislation amending the act. One of these is an amendment providing for uniform classification. The other relates to rates and charges from the scaboard on imports, in respect to which we recommended action by congress in our annual report for 1898, pages 13 and 14. Respectfully, WILLIAM R. MORRISON.

WILLIAM R. MORRISON JUDSON R. CLEMENTS

We concur in the foregoing suggestions, with the following qualifications: We would not oppose the passage of a pooling bill provided the other amendments which are necessary to make the interstate commerce law effective were made as a part of that bill. We are opposed to the passage of the pending bill, or of any other pooling bill, until this commission is given, by suitable amendments, the power in fact which it is supposed to have and must have in order to carry out the purposes of the law to regulate commerce. We believe that the questions involved in the proposed legislation are of paramount importance and should only be acted upon with the most mature consideration, and that any legislation at the present time would be unwise.

J. D. YEOMANS,
O. D. PROUTY.

When you buy a propertetary article, look at it before the salesman wraps it up, and assure yourself that you are getting the right thing. Substitution is rampant.

QUEER PLACE TO DEPOSIT A WILL.

Found in an Urn Containing His Wite's Ashes.

SAN FRANCISCO, May 21.—A will, deurn containing the ashes of the testator's dead wife, is one of the sensational features that will be presented in the contest over the estate of the late Jacob Z. Davis, the San Francisco millionaire, philanthropist and

patron of artz and sciences.

Davis was born in Philadelphia and was a man of hobbies. Not the least of these was a desire to collect the remains of his relatives in the old Dunkard church yard at Germantown, near Philadelphia, where he expended over \$10,000 in erecting white marble headstones over their graves. He also caused to be built an addition to the old church, and it was during a visit to Philadelphia to attend to the completion of

the structure that he died in October last at the Continental hotel. Davis was at one time president of the society for the prevention of cruelty to children, and took a deep interest in the State Mining bureau. During his life he not only sent for John Senderling, a relative, and requested him to write at his dictation what he intended to be his will. Senderling had nearly completed the document when Davis suddenly declared that his pulse had stopped

peating. A few minutes later he died This uncompleted document Senderling submitted to the American Trust company and to a lawyer in Philadelphia. He was adthe paper, such documents have been construed by courts to be wills, and he accordingly filed it with the trust company. Three weeks after Davis' death, and after Alexander Boyd, his partner, and E. B. Mastick, his life long friend and attorney, had searched high and low for a will without avail, the document now before the probate court, making Lizzie Mulr and Mrs. Belle Curtis the sole legatees of the dead millionaire, mys-terlously appeared. It is alleged to have een found in the urn containing his wife's ashes. The document was filed for probate and is now being contested by the nephew and niece at the east, Catherine Stead and Joseph Wilson, who set up that the paper is a forgery, is not the last will of Davis, or if it is, that it was made at a date when he was of weak mind and under undue in

VALLEY OF RIO GRANDE FLOODED. Great Damage Done to Farms in the

Low Land.
DENVER, May 21.—According to dispatches from New Mexico, heavy rains have so swollen the Rio Grande and other streams that considerable damage has already been done and more is threatened. The valley north and south of Albuquerque is inundated. The small Mexican villages of ranchers at Los 'Padillos, Harelas and Airlsco, near Albuquerque, are partly submerged and a number of houses are surrounded by two feet of water. If the rise continues a number of adobe houses will be washed down, valley farms will be obliterated and there will be great distress among the small farmers. A number of men are watching the dyke north of Albuquerque. It is believed there is no immediate danger of its giving way.

A heavy hailstorm killed thousands of lambs, besides a great number of sheep. Near Las Vegas and Springer, and up through the Red river country, streams are reported out of their banks and bridges washed away, impeding travel for several days. Considerable damage is reported in the Hot Springs canyon. One of the dams of the Las Vegas water company was carried out. It is impossible to ford the Canadian Wires along the Atchison, Topeka & river. Santa Fe and Denver & Rio Grande rail roads in New Mexico are prostrated.

WARRANT FOR ELECTION OFFICERS

Charged with Doctoring Returns at School Board Election.

ST. LOUIS, May 21.-Prosecuting Attorney Johnston today issued warrants for the arrest of four judges of election and one clerk for alleged frauds perpetrated at the school board election last Tuesday. The men charged board election last Tuesday. The men charged with signing false returns are: William Moeller, republican; James J. Moran, demo-crat; C. H. Schokmiller, republican; Thomas F. Carey, democrat, and Thomas F. Dunn, democrat. The last named was an officer at the Ninth precinct, Fourteenth ward, and the others were judges of election at the same place. The attention of the election commissloners was first called to the condition of affairs in the precinct named by Edward R. Johnson, republican, who was a clerk with Dunn on election day. The stor; told by Johnson was to the effect that after the polls had been closed the four judges deided to fix up the returns to suit them-elves. Johnson protested against this mode selves. of procedure and was told to shut his mouth. He protested again and was informed that if he did not keep still he would be thrown out of the building. He refused to sign after the others had done so and they knocked him down and kicked and pummeled

PLAN A RIVAL FOR MONTE CARLO. Dwyers Said to Be Interested in the

SAN FRANCISCO, May 21.—It has leaked out here that the concession obtained by Jesse Grant and his associates from the Mexican government for lands surrounding the famous Hot Springs of Tia Juania, across the boundary line, covers also a privilege running a lottery and gambling devices. is said that Grant does not intend to enter the business but that eastern people are prepared to take control of this feature of the concession, while Grant attends to the colonization and development of the min-

eral waters.

The identity of the eastern people is not known, but it has been learned that the Dwyers are figuring on the purchase of the Rierson and San Antonio ranches some miles below Tia Juania, to be used for raising racing stock. A local real estate man who is handling the matter for Grant and his associates is authority for the state-ment that the intended purchasers declare they will build the finest gambling house in the world at the springs, to cost \$2,000,000, and to include every game of chance known. The deal is to be closed this week.

Woman Sentenced to Hang. ST. LOUIS, May 21 .- For the first time is the history of Missouri a woman has been found guilty of murder in the first degree and will be sentenced to hang. The weman is Pearl Walters, who deliberately killed Lilian Waddell, colored. When the verdict was read Pearl Walters sat 28 if dazed. She shortly sprang up and shricked like a mad woman and in that condition was led back

Gold Engaged for France. NEW YORK, May 21 .- Lazird Preres, agent for the Bank of France, will ship \$1,200,000 in gold by the French liner tonorrow. This is the first engagement of the week.

Head Struck the Payement. John Selborg, a farmer from Papillion was driving down Leavenworth street yes was driving down Leavenworth street yes-terday afternoon, when his spirited team of colts became frightened hear the corner of Eighteenth and ran away Selborg was thrown to the brick pavement and quite severely injured. He was picked up in an unconscious condition and taken to the sta-tion. When he recained his senses his mind appeared to be affected. The city physican attended him and stated that there were evidences of concussion of the brain. Sei-borg will be taken to a hospital until his friends can be located.

Jennie L. Newton has applied to the courts for a divotee from wallace E. New-ton on the grounds of drunkenness and cruelty. She alleges that she was married to Newton in Uxbridge, Mass. In April 1877. She also afteges that in 1891 Newton commenced the excessive use of liquor are subjected her to all kinds of cruel treat ment, linesty driving her from the house. She haves returned and asks that she be granted a divorce. granted a divorce.

WHERE SOMEONE BLUNDERED

clared to be a forgery, and discovered in the Secret of the Failure to Secure Reduced Return Rates.

ALL THE RESULT OF A MISUNDERSTANDING

Visitors to Exposition Cornerstone Laying Could Have Secured Cheap Rates Home Had They Applied to Proper Parties.

Ever since the exercises of laying the cornerstone of the Transmississippi Exposition on April 22 there has been some trouble on the hands of several passenger men here, due to a failure of a large number of Masons who came to the city to participate in the exercises to obtain a reduced return rate. gave them a great deal of money, but made It would seem as though the railroads had them presents of statuary, ore and minerals. been unjustly censured in the matter, especially the Chicago, St. Paul, Minneapolis & Omaha road, which brought in a large number of Macone from Blair, Tekamah and other points along its line.

effort to have their ticket certificates propvised that, while there was no signature to erly stamped. Just before this occasion a rate of one and one-third regular fare to Omaha was announced on account of the meeting of the Nebraska Association Local Fire Insurance agents, April 20-21. with the final return limit, April 24.
W. R. Bowen, representing the Masonic fraternity, took advantage of this announcement, and in a postscript to his circular to the Masons of the state invited them to the exposition exercises and called attention to the reduced rates that had been offered. When

the Masons came to the office of the grand

secretary they were referred to B. L. Bald-

An investigation into the trouble shows that

the Masons could have secured the one-third

rate for their return trip had they made an

win of the Fire Insurance Agents associa-tion to have their certificates duly stamped. Mr. Baldwin states that he kept his office in the First National Bank building open until 6 o'clock on Arbor day, and all day on Friday and again on Saturday of that week. It was necessary that 100 ticket certificates should be presented to him before Joint Agent Munn of the railroads could order the one-third rate for the return trip applicable As there were but sixty-seven of these ticket certificates presented, none of the fire insurance agents or the Masons secured the reduced rate that was expected.

ANNUAL MEETING OF THE ELKHORN.

Burt Succeeds Newman on the Board of Directors.

The annual meeting of the stockholders o the Fremont, Elkhorn & Missouri Valley Railroad company was held at the headquarters in the United States bank building yesterday. The following directors were elected to serve during the ensuing year Marvin Hughitt, Albert Keep, M. L. Sykes, David P. Kimball, M. M. Kirkman, Horace G. Burt and J. B. Redfield. The only change in the board of directors was the election of Horace G. Burt, formerly general manager of the Elkhorn and now third vice president of the Northwestern system, to succeed W. H. Newman. The latter for-merly held the position in the Northwestern now occupied by Mr. Burt, but resigned last summer to go with the Great Northern

railway. There was no other business transacted at the annual meeting, no annual report or other statement of business being received. general townsite agent of the Elkhorn, acted as secretary of the meet-He practically held the meeting b himself, his principal duty being to receiv and record the proxies of the numerous ab Scarcely any of the occupants of the general offices knew that a meeting of the company was in progress.

RATES FOR WESTERN TOURISTS

as Heretofore. Assistant General Passenger Agent Smith of the B. & M. returned yesterday from St. Louis, where he had been in conference with other passenger men of western lines on the subject of summer tourist rates to Colorado. The rates will be practically the same as have prevailed for several seasons past. The round trip rate from Missour river points to Colorado common points will he \$25. The tickets will go on sale June 1 and the final return limit will be October 31. Stop-over privileges may be obtained for points west of Colorado common points On account of the cheap rates to Cali-fornia for the Christian Endeavor convention and in order to thwart the scalpers who ex-pect to manipulate these cheap westbound tickets, greatly reduced one-way rates will be made for Colorado points at the same time. Just what these rates will be has no yet been announced. They will be deter-mined at a conference between the executive committee of the Western Passenger association and General Passenger Agent Lomax of the Union Pacific in Chicago this morning

FIVE ROADS OUTSIDE OF THE FOLD

Western Lines Fail to Sign the Pa senger Agreement. The Union Pacific, the Canadian Pacific the Chicago Great Western, the Wisconsin Central and the Minneapolis & St. Louis are still out of the fold of the Western Passenger association, greatly to the worriment of the railroads that have entered their name: on the roll book of the reorganized passen-

ger association.

As the Union Pacific is holding aloof from the general passenger association and all its various bureaus it has not yet consented to enter any local passenger association Up to date no signs of a rate war between the roads that are in and the roads that are

out of the association has appeared, but well informed passenger man said yesterday that such a sign might bob up screnely most any day now, as there is not the slight est indication that any of the five road named above will ever join Mr. Caldwell's

Paying Union Pacific Coupons.

The receivers of the Union Pacific railway system give notice that the principal and in terest on the Union Pacific equipment true 5s, series B, and the April coupon, series A of the same bends, will be paid on and after today at the Union Trust company, in New York and at the office of the Union Pacific receivers, 92 Ames building Boston. The amount on each bond of series B is \$1,006.67 and on each coupon of both series at \$25.17.

A member of the reorganization committee of the Union Pacific Railway company says that 95 per cent of all the outstanding Union Pacific stock has been deposited under the plan of reorganization.

Examining Condition of Bridges. Assistant City Engineer Stenger has been making an examination of the old forty-foo bridge on Fort etreet, just east of Thirtieth with the result that the old structure will probably be condemned. The bridge was und in a very dilapidated condition an hardly susceptible of permanent repairs. Stenger is also looking up the Eleventi street viaduct matter and the Board of Pub lie Works will take it up at an early date The contract was awarded over a month ago but active work has not been begun.

Tax Levy the Issue. James E. Kelby, assistant general solicito of the B. & M., yesterday returned from figunuis, where he represented the ratiroad company in an important lawsuit. The authorities of Grant county and the officials of the railroad company over the propriet; of the latter's paying taxes to Grant county

aggregating \$417.01. The matter was taken under advisement by Judge Kendall. GOVERNMENT PRESENTS ITS CASE

Proper Intervenors. ST. PAUL, May 21.-Ex-Governor Hoadley of Ohio, counsel for the United States, was

heard today in the petition for intervention the Credits Commutation company was DUMP PROPOSED INSIDE THE CITY LIMITS Union Pacific foreclosure suits before Judge Sanborn. Governor Hondley, contended that the Credits Commutation company was neither a necessary not proper party to the action, and that it would be simply encumbering the case to allow intervention. Governor Hoadley said he had been instructed by the government to sedure every lawful advantage and concede neithing that was not just. He denied the insignation that there was any combination between the government and the reorganization committee in the proposed sale to the latter, and paid a high compliment to the ability and integrity and native honesty of Grover Cleveland.

Seeking Railroad Connection. PORT TOWNSEND, Wash., May 21 .- A committee composed of five members of the Board of Trade is at work here getting up a company which proposes to incorporate with \$500,000 capital for the purpose of constructing a railroad from this transcontinental line. Much stock is being taken, to be paid for in land. Other towns along the proposed line will be asked to take stock, in which case the capital stock will be increased to \$1,000,000. The proectors assert that with rail connection a transcontinental line this would be the terminal for Oriental and other deep water vessels, and especially wheat carriers.

Bars the Baltimore & Ohlo. ATLANTA, May 21 .- W. N. Mitchell, outhern representative of the Baltimore & Ohio road, has received advices that the Southern railway and the South Carolina & road that after May 30 they will refuse to handle any vegetables and fruits from the South Carolina territory over the Baltimore & Ohio. It is reported the pressure for this has been put on the southern roads by the Pennsylvania, which has for so long enjoyed monopoly of the southern trade.

Deficit for the Fort Wayne. PITTSBURG. May 21 .- The annual meetng of the Pittsburg, Fort Wayne & Chicago Railroad company of the Pennsylvania company lines was held here today, and the following directors elected: Charles E. Speer, Pittsburg; Edward P. Williams, Fort Wayne; John S. Kennedy, New York. The receipts of the company for the year were \$10,022,267: operating expenses, \$6,915,726; net earnings, \$3,106,540. The rental paid the lessors was \$3,693,683, leaving a deficit in the operation to the lessee of \$587,097.

Canadian Pacific Stays Out. CHICAGO, May 21 .- It has been definitely leclared that after the present at least the Canadian Pacific will not become a member of the Western Passenger association. General Passenger Agent McNochol of that road has declared that in his opinion the associa-tion is a failure, as far as the maintenance of rates is concerned, and that the Canadian Pacific cannot enter the association until it s assured that the tariff will be maintained.

Entertain Visiting Conductors. OAKLAND, Cal., May 21.-The Ladies' Auxiliary, Order of Railway Conductors, gave reception in Magnolia hall last night to he eastern rallroad conductors, several hundred of whom were present. Mayor Thomas welcomed the visitors, Grand President Mrs. Moore of the Ladies' auxiliary of the Order of Railway Conductors made a few remarks, as did also Mrs. Sewall, Mrs. M. E. Twiss

Lake Shore Makes a Loan. CLEVELAND, May 21.-By a vote of the stockholders of the Lake Shore & Michigan Southern railway this morning, it was de cided to increase the indebtedness of the company to \$50,000,000, .W. K. Vanderbilt, chairman of the board of directors, and E. D. Worcester, vice president and secretary, were present. The loan will be negotiated at 31/2 per cent interest, payable semi-an-

Quick Receives a Promotion. KANSAS CITY, May 21.-Benton Quick who has been associated with the ticket and passenger department of the Missouri Paeific railway in this city for the last ten years, has been promoted to the position of ity ticket and passenger agent of the road at St. Joseph, Mo.

NEW YORK, May 21 .- It was announced oday that at the meeting of the Chicago & Northern Pacific railroad, 85 per cent of the outstanding bonds were represented, and that he plan of reorganization and settlements with the Northern Pacific were unanimously adopted. Wilder Leaves the Big Four.

CHICAGO, May 21 .- D. B. Martin, man-

ager of passenger traffic of the Baltimore & Ohio, confirmed this morning the rumor that D. S. Wilder of the Big Four would become division passenger agent of the Baltimore & Ohio at Columbus, O., June 1. Rallway Notes and Personals.

Alexander Mitchell, commercial agent of the Milwaukee at Salt Lake City, is in the General Western Agent Nash of the Mil-

waukee went over to Chicago headquarters last evening.

Frank P. Wade, for seven years city ticket and passenger agent of the Missouri Pacific at St. Joseph, resigned Thursday, to take effect June 1. He will be succeeded by Ben-ton Quick of Kansas City. Mr. Wade goes Chicago.

President Guy of the St. Louis, Peoria & Northern railroad has purchased \$1,000,000 worth of rails at \$18 per ton and surveys will be commenced in a few weeks from Springfield to East Clinton, Ill. The company expects to build a line of 150 miles in length this year. Omaha road does not expect to be

oothered with tramps as it was last season. This year Mayor Jones, the newly elected executive officer of Blair, has served notice that he will not tolerate the tramp nuisance at all and has given the railroad company assurance of protection from this unprofit-able class of travelers.

Two members of the gang of tramps early yesterday morning raided the Union Pacific station at North Bend, this state, have been arrested at Schuyler. Union Pacific detectives are searching for the third and expect to capture him in a few days. The railroad company intends to prosecute the hobocs to the full extent of the law. Reduced rates of one and one-third reg-

plar fare for the cound trip have been an-nounced by western roads for the following occasions: Convention of the Military Sureons of the United States, Columbus, O. lay 25-27; meeting of the Nebraska Chris-an Missionary society, Beatrice, June 29 wedlah Evergelical Mission Covenant, Chicago, June 1.

Nicholan Wilkinson of Salt Lake City is uing the receivers of the Union Pacific for \$10,000 damages. He was a car cleaner in the employ of the Union Pacific and on June 13, 1896, was injured by falling from the top of a car. He alleges that the accident was due to the continued use of a faulty hose coupling, which he had previously warned the superintendent was out of order.

Wouldn't Wear Out. H. G. Hart of this city has received a shoe from Oscar Froyd of York that is a lecided curiosity to dealers in footwear. it is a No. 5 child's since, of the style known as Creole congress, five inches in height. The sole is fastened to the upper with little sickory pegs and the heel with iron nails. It was made in Russia twenty years ago and came to this country on the foot of a little emigrant. It was discarded after having done service for seven other children ng done service for seven other children or the sole reason that there were no more

ANOTHER GARBAGE SCHEME

Credits Commutation Company Not New Move in the Matter Meets with More Opposition.

Those Who Oppose the Plan Say it is a Scheme to Give the Garbage Contractor More of a Monopoly.

There is likely to be a vigorous opposition to the passage of the new dump ordinance which is now in the hands of the committee on police of the city council. Some of the on police of the city council. Some of the stands before the world committed to an members of the committee, who have been evangelical faith. To make a work permainvestigating the ordinance, assert that it | nent and effective there must be an agreerepresents the latest scheme of the garbage monopoly to get a still more effective grip on the profits. The new ordinance authorizes the Board of

men's and the young women's Christian as-sociations and only accepted by them after long and prayerful deliberation, Unfor-tunately in the Omaha association it was charged that the change in the basis was di-Health to locate and maintain a dumping place on the river between the alley between point where connection may be had with a Farnam and Harney streets and the south line of Mason street for the deposit of ashes, members, and would exclude them from the privileges of the association. That there is manure, dead animals, garbage and offal, under rules and regulations to be adopted by the board. The real gist of the ordinance is contained in section 2, which is as follows: 'The contractor with the city of Omaha

the two churches cannot agree in the above stated principles. Realizing and claiming this difference, there are in many associa-tions on the evangelical basis large numbers of Personnel. for the removal of garbage, etc., is hereby given the right, as well as others who are allowed the privilege, to use said dumping place for dumping purposes during the time it is maintained and kept open. of said dumping place by dumping and demittees if they choose, and sharing the privi-leges of the association, but because of the restrictions of their own church cannot copositing thereat ashes, manure, dead ani-mals, garbage and offal by said contractor Georgia railroad have jointly netified by tele-graph the receiver of the Baltimore & Ohio epen shall not invalidate said contractor's contract with the city, nor shall it be a vio-lation of said contract for said contractor to do so.

It is stated that the effect of this ordi-

nance, if it becomes a law, will be to allow the garbage contractor to dump into the river instead of hauling the garbage away and outside the three-mile limit, as required by his con-tract, and at the same time continue to enjoy his monopoly, with no reduction of the high tariff that he is allowed to charge.

The ordinance is supported on the theory that it is designed to allow people to haul their own garbage and dump it in the river, but it is now asserted that this is merely a blind to secure a favorable consideration of the ordinance by the council. If the ordinance is passed the garbage contractor will be empowered to dump in the river, "as well new constitution before we filed the articles as others who are allowed the privilege." and then, to make the best constitution, thos.

But in the same section it is provided that this shall not invalidate the contract which gives the contractor his present monopoly. onsequently it is declared that the propo ordinance will simply allow the contractor to increase his profits by the amount which it now costs him to ship the garbage outside the three-mile limit and without interfering in the slightest degree with his monopoly. The matter will be brought up at the regular ommittee meeting Monday afternoon. Councilman Stuht and others who have been looking up the ordinance will protest against its favorable consideration.

MISS CADY SPEAKS FOR MINORITY.

Evangetical Side of Young Women's Christian Association Controversy. OMAHA, May 21 .- To the Editor of The Bee: So much has been said in and out of the newspapers regarding the recent agitation in the Young Women's Christian association, all of which has been on the side f the "Broad Basis," and almost without exception have the purposes and principles of the other side either been ignored or so misrepresented as to be decidedly misleading. The reversal of the decision last Monday night was reported as being done by the vote of an "overwhelming majority."

"Is a majority of fifteen "overwhelming." onsidering there are 306 active members at this date in the association, in comparison with the seven majority of a week ago, or a clear thirteen majority for the evangelical

We had supposed that a majority even of one sattled a question, if fairly presented.

For two months this question has been fully discussed: the constitution was pre sented at a regular association meeting, with ooth majority-meaning "Broad Basis" minority-meaning evangelical basis-re-ports. These reports were also printed and sent to every member. A well-attended meet-ing for free discussion was also held at the ms the Monday night previous; besides all his urgent personal invitations on posta cards were sent, urging the presence of the entire active membership at the regular busi ness meeting. One hundred and twenty-one active members responded. The majority re port was first acted upon; it was read by the secretary, explained by the chairman, and, for fear any might not understand, Mrs. Ford and Mrs. Hoobler helped to make it very plain. The question was lost, 64 to 57. Many then left and the minority report was

Had that majority vote been on the other ide, would there have been any ques-ion? Was it not absolutely fair? We know that those on the evangelical side whatever verdict was rendered by the major-ity at that time. We gave credit to the op-

site side for the same sense of honor. Last Morday night it was evident that every effort had been used to bring out the members who were opposed to the action taken at the previous meeting, ostensibly to vote on the incorporation question. With all the newspaper work, personal work and general agitation, only 159 active members were present. A reconsideration of the ma-jority report was asked for on the plea that it was not understood at the previous meet-ing. A motion to that effect prevailed, even though the attendance, while larger, was not so representative of the working force of the association as on the Monday night be-fore; that is, so many were there who have not been in the work at all, and were laboring under the impression that the evangelical basis meant to narrow the work and to exclude every one not of the evangelical faith Now, what of that splendid minority, that stood not on the popular side, but on the basic principles underlying the Young Women's Christian association? In that minority are many of the strongest women and best workers in the association, even during

no trained secretary. The right is not always popular nor those who stand for it always appreciated, but the testimony of the minority cannot be ignored in the future olicy of the Omaha association. Narrow-minded, bigoted and similar terms have been freely applied to those advocating the change, but "de massa of the sheep fold" could even more appropriately be quoted as setting forth the principles of the evangelical association. The remarkable growth and in-fluence of the Young Women's Christian association and the Young Men's Christian as-sociation in the world ever ought to be a convincing proof and forever a proof of its wideness and interest in all humanity. It has been argued that there would be no

the past years when there was no money and

ubstantial gain to this association in be oming a part of the great internations novement; we are now an independent body. There is not space to argue this point, but it means to the association just what a federation of clubs or a conference of churches mean to them. True, as has been said, we have adopted all of the plan of work of the Evangelical association and accepted everything to be gained from its in-ternational body, but what acknowledgment do we make? The result must be the same to an organization as to an individual acting in like manner. Can we hope to succeed in following this method if we exclude the vital principle that has given strength and nfluence to the evangelical work every-

where? in our association since the time when, many feeling that we were not reaching the real

the spiritual work on a par with the other work of the association, nor can there be harmony now only as those who have con-

victions on this point give them up and either ignore the definitely spiritual work or else make it the most nominal thing; not that the others definitely object, but indiffer-ence and silence are often as effective as out-'Pals' Distrust His Loyalty and Assault Him with a Revolver. spoken opposition. It is a clear indication of popular feeling and a serious reflection ou our name that a leading minister said last week that he "supposed that the religious work was merely incidental," and in that case our name is a misnomer. No one who knows association work supposed for

knows association work supposes for a minut

that we advocate a "continued prayer meet-ing." This is evidenced by the growth in our

association of lunch, gymnasium, educational work, social life, work for each girls, etc. Now a word in explanation of the derided

basis. The question is not if a person is or is not a Christian, for if one has taken upon

herself the vows of the church, she must

either be true or perjure herself and that rests between herself and God. At least she

ment on foundation principles, and the evan-

gelical churches agree in vital truths how

ever differing in non-essentials, and so fur-nishes the best foundation for the young

rected especially against the Roman Catholi

a radical difference in the teachings of the Roman Catholic and the Protestant evangel-

cal church is well known, and members of

of Roman Catholic members, more in most

instances than we have ever had. Valuable

members, gladly welcomed, working on com-

operate in the religious work as done by the association. Not because they are "barred

now the associate member cannot vote nor

membership considered it an important privi-

PEACHES ON HIS TWO PARTNERS

Says that Douglas and Andrews Tried to Induce Him to Assist in Holds

According to the statements of the members of the detective force of this city the arrest of one man in Council Bluffs Thursday night and of another in this city yesterday has put a decided quietus upon an alleged plan to hold up last night's o'clock Milwaukee passenger 6:30 train between this city and Council Bluffs. It is stated that a quarrel between crooks brought about the disclosure of the scheme an assault upon the man who "peached" and the consequent arrest of two criminals.

Douglas, Frank Andrews and Joe Scott. The latter is the man who gave the plan away two men are accused of making the assault intent to kill. Douglass was arrested Thura-day night in Council Bluffs. Andrews was ar-

Scott was in Omaha Thursday and made a statement to Detective Savage. He said that Douglas and Andrews tried to induce him to go into the plan of holding up the train yesterday. He refused to do so. Detective Savage did not pay much attention to the statements of the man, believing that there was nothing in them.

out," but because their church withholds them from it. No one is barred out, for even hold office, and it has not hitherto been ob-served that the larger part of the active Douglas and Andrews near the transfer depot, the says that he told the men that he intended to give their scheme away to the police. He charges that the two men there-upon brutally assaulted him. He alleges also lege.
Who are rejoiced at the turn affairs have taken? Surely not our Lord and the angels in heaven. How can they when atheist and infidel, the indifferent and the scoffer reinfidel, the indifferent and the scoffer re-joice? The church is not perfect, yet it is was located late Thursday night and placed

passed a couple of worthless checks for \$15 in this city a couple of weeks ago. One of the victims was the firm of Peterson & Ferguson, grocers at Twentieth and Martha streets. The other was a groceryman named

cient work could not ignore this question and be loyal to conviction. Board of Public Works Selects Fore-Trusting that the foregoing may in some measure explain the position of the minority, I am still the firm advocate of the all-ground work for young women. DORA CADY, General Secretary of the Young Women's

Christian Association of Omaha. In Justification of Rev. Irvine. OMAHA, May 21 .- To the Editor of The Bee: I hope that you, who never hesitate to tell the truth, will be brave enough to publish the following in defense of Rev. A.

who knew of the wider and far more effi-

F. Irvine Your informant in regard to his leaving Omaha omitted to mention that he left to aise funds to build a chapel upon the among the people whom he most loved; that his stereopticon and slides were stolen from him, and he was left sick and in desperate want in an Iowa town; that he nevertheless returned to Omaha and gave all he had raised by his lectures toward the silding of the chapel, which now stands at Second and Williams streets, and that he settled his small debts in Omaha by giving orders upon those who owed him for services

'A lie that is half a truth is the blackest kind of a lie," and the informant who gave you misleading facts without explanation was guilty of base injustice.

Mr. Irvine is a generous, impulsive en-thusiast and such men always make mistakes and enemies. But no matter what his past has been, his future is full of promise of a wide helpfulness and the public press should be the last to obstruct the course of any one who labors only to uplift and help his weak and suffering fellow Your friend in truth and justice.

(The above is given publicity for the benefit of Mr. Irvine's friends, although The Bee's policy is to decline to print communications from people afraid or ashamed to en-

close their names.) THINK THEY HAVE SCORED A POINT. Reed and Kirkendall Hope to Secure

the Creighton Theater. A. L. Reed and F. P. Kirkendall, who assert that they purchased the Creighton the ater building at foreclosure sale, have been notified by the supreme court to increase their bond filed as a guaranty that they would make good their bid for the property when the sale is confirmed. This order is re garded as a most favorable sign by Messrs. Reed and Kirkendall. This action of the supreme court was taken in overruling a motion filed by E. W. Nash, who also insists that he purchased the property. Mr. Nash asked the court to vacate the bond filed by Reed and Kirkendall, and the argument which was made on this motion virtually went to the merits of the case, showings being made as to the proceeding at the time of the sale and the claim of Reed and Kirkendall to a decree confirming the

sale being argued,

The court did not pass on the merits of the case, but Messrs. Reed and Kirkendall argue that the fact that the cour: made an order increasing their bond, knowing all the facts in the case, augurs well for the ultimate success of their appeal, and they expect to have the sale confirmed in then when the case is tried. The bond filed by Reed and Kirkendall was for \$10,000, and the court has ordered it increased to \$25,000. Pending the decision of the case the theater building remains in the hands of the Creighton Theater Building company.

WHEELMAN ESCAPES PUNISHMENT.

Policeman's Watch.
There was a question of veracity Thurs-

it took him one minute and a half to cover the distance. He timed himself by a street car, presumed to be going at a speed of the country that eight miles an hour or less.

Identifies St. Claire,

has just resigned his position to accept the clerkship in the general claim office of the Missouri railway at St. Louis. He will be succeeded at South Omaha by J. W. Robb, formerly car accountant of the Cudahy Packing company.

SCOTT GIVES THE SNAP AWAY

ing Up and Robbing a Milwaukee Train.

The three principals in the case are Sam

to the police and who was badly beaten. He is now in Council Bluffs. The other upon him and are charged with assault with rested in this city by Detectives Savage and

Scott went over to Council Bluffs and met

the nearest to giving us a foundation to under arrest.

work on, and the commission to every Chris- Andrews is believed to be the man who

SELECTION OF MINOR OFFICERS.

men and Inspectors. The appointments of foremen and inspectors were made by City Engineer Rosswater at the meeting of the Board of Public Works yesterday afternoon, and they were unanimously confirmed by the board. William Hutton was the only man on the force who was retained, and the others were compelled to make way for new men. With one or two exceptions the appointees are experienced men who have previously held simllar positions.

By virtue of yesterday's appointments Ed Taylor and Michael Lee will succeed S. Y. Sanson and John Yerak as inspectors of water and sewer connections and street cuts. Their salaries were fixed at \$70 a month. William Hutton becomes foreman of the sewer flushing department to succeed Fred Conemeyer at \$70. Lee Yates and Joe Do-

were appointed as helpers at \$60. J. C. Holt was made foreman of the sewer re-pair gang. He succeeds George Reid at a salary of \$75. J. A. Beverly succeeds J. H. Brown as foreman of the street department at \$65. Thomas Hamlin was appointed inspector of the recurbing on South Sixteenth street at \$2.50 a day for the actual time em-

ployed. The designated monthly salaries are slightly less than the city has previously paid for the same work when the time was made up by the day.

P. H. Mahoney was the only bidder on grading the alley in block C in Shinn's addition. His bid was 25 cents a yard and it was rejected and a readvertisement ordered. The fact that two members of the board were wheelmen was immediately in evidence in a vigorous kick from Comptroller Westberg and Building Inspector Butler on the fact that some of the sidewalk contractors are in the habit of scattering chunks of slag and gravel over the paved streets. They stated that North Twentieth and various other streets had been made nearly impas-sable for wheels by this careleseness and tho board decided to take the matter up as soon as possible and secure the aid of the police

in the enforcement of the ordinance GERMAN CONSUL AT GUATEMALA.

Baron Vom Berger Passes Through Omnha on His Way East. Baron W. W. Vom Berger, German consul for Guatemala, passed through the city last evening while on his way from the Pacific coast to New York City. The baron was accompanied by his wife, daughters and a party of friends, in all ten persons. They occupied several sections of the Union Pa-

cific-Northwestern sleeper. The distinguished German official had lit-tle to say of the country in which he has been stationed for several years past, ex-cept that it had suffered alike with the other countries of the North American con-tinent from the late hard times. He thought the present business outlook in Guatemala much better: He and a number of his party looked over the new depot grounds and asked numerous questions as regards Omaha, its population and commercial advantages. stated that himself and party would go direct to New York City, and after a sojourn of a few days would take the etcamer to the homes of the party in Berlin.

The baron has been stationed in Guatemala for a term of four years. He expects to receive a reappointment to the same position at the hands of his government.

Harry Brandels, a saloon keeper at Tenth There was a question of veracity Thursday afternoon in police court between R. W. Verling, arrested about a week ago for scorching down Leavenworth street, and Officer Inda, who made the arrest. The court decided in favor of the former and dismissed the case.

The policeman alleged that he sighted the wheelman at Twenty-first and Leavenworth streets, when he was coming like the wind and immediately pulled out his watch. According to the chronometer it took the cyclist just twenty-first to Nineteenth The officer halted the wheelman at the latter street corner.

Vierling on the other hand maintained that it took him one minute and a half to cover the day afternoon on a charge of gambling. The arrest arises from the complaint of Harry afternoon on a charge of gambling. The arrest arises from the complaint of Harry P. Morrell, a jockey from Stillwater, Minn, who alleges that Thursday afternoon he arrest arises from the complaint of Harry P. Morrell, a jockey from Stillwater, Minn, who alleges that Thursday afternoon he arrest arises from the complaint of Harry P. Morrell, a jockey from Stillwater, Minn, who alleges that Thursday afternoon he arrest arises from the complaint of Harry P. Morrell, a jockey from Stillwater, Minn, who alleges that Thursday afternoon he arrest arises from the complaint of Harry P. Morrell, a jockey from Stillwater, Minn, who alleges that Thursday afternoon he arcest arises from the complaint of Harry P. Morrell arcest arises from the complaint of Harry P. Morrell arcess from the complaint of the case.

The policeman alleged that he sighted the whole drunk Thursday afternoon he arcess from the cash in Jockey from Stillwater, Minn, who alleges that Thursday afternoon he arcess arcess from the complaint of harry had a f

Keeping Tab on Questionable Houses. The cottage occupied by "Plunk" Henderson at 514 South Fourteenth street is just Identifies St. Claire.

Mrs. E. Burstall of 539 South Twenty-fifth avenue, whose pockets were picked of \$11 Thursday afternoon near the postoffice, yesterday identified Everette St. Claire as one of the men who jostled against her at the time. St. Claire was arrested on suspicion Thursday night.

Nice Promotion for Fenne.

P. F. Fenne, for the past five years chief clerk in the traffic department of the Cudahy Packing company at South Omaha, has just resigned his position to accept the clerkship in the general claim office of the at present an object of interest to the po-

An honest storekeeper will not try to con-vince buyers that he knows what they need