

## ARGUMENT IN EXPRESS CASE

Attorney for Express Companies Complicates Treatment of Opponents.

## COURT CALLS HIM TO TASK

Battlesmen Thank Governor for His Assistance in Quarantine Matter—Quarantine Delays Immigrants.

(From a Staff Correspondent.)

LINCOLN, Neb., April 7.—(Special.)—The application of the attorney general for a temporary injunction against the express companies doing business in Nebraska for violating the Sibley law, and his request for the appointment of a referee to take testimony in the case, pending the final settlement of the hearing on the supreme court this afternoon, The Sibley law provides for a reduction of 10 per cent in express rates from the rates in effect January 1, 1907. The law was enacted by the recent legislature and became effective July 5. On that day the attorney general filed a suit to enjoin the express companies from violating it while the express companies tried to enjoin the railway commission from enforcing it in the federal court. Both cases are still pending, but upon securing a decision from the state court that it had the authority to maintain such a suit the state then asked for a temporary order to compel the express companies to put in effect the reduced rates, pending the hearing on the justice of the rates and to facilitate this hearing the attorney general asked for the appointment of a referee.

At the hearing today Charles J. Greene and T. S. Maters, attorneys for the express companies, filed additional affidavits to the effect the reduced rates would be compensatory and they gave figures to show that even under the rate in effect the compensation was not sufficient to pay interest on the investment.

Attorney General Thompson and Deputy Attorney General Roscoe contended these figures were of no value for the reason the express companies failed to give to Nebraska any earnings on their state business. They argued the showing made by the companies was not sufficient for the further reason that the express companies had not furnished the detailed facts of their earnings or expenses, maintaining to say so much money for salaries was not sufficient, but it must be shown who gets the money and how much each official received.

During his remarks Mr. Greene, after reviewing the history of the case in this and the federal court and talking of the tendency of the times, said:

"This proceeding has not been marked by that liberal courtesy usual with gentlemen of the profession."

"I believe you should not make that statement," interposed Chief Justice Barnes. "This case has been in the courts now almost a year and the express companies have been treated with fairness."

Attorney General Thompson then took a hand in answer to the above and other statements of Mr. Greene took of the action of the express companies in going into the federal courts when the state constitution protected their property just the same as does the national constitution, and he denied the imputation of the attorney that the state courts would do no justice to the corporations.

Mr. Greene, who was feeling very ill, then asked to be excused and left the room.

In discussing the answer and affidavits filed by the express companies Mr. Thompson showed that in the testimony given by officials of the companies estimates of receipts and expenditures were given and no fact stated and no details of what constituted the expenditures set out. He said the express companies pay the railroad more than 10 per cent of their receipts and are owned by the railroads; that it is a case of the railroads charging double for a single service.

## Citizens Thank Governor.

Governor Sheldon has received a letter from the South Omaha Stock exchange in which the exchange thanked the executive for the work he did in the interest of Nebraska cattlemen in going to Washington on the quarantine matter. The letter sets out that it is the sense of the members of the Stock exchange that had it not been for the interest taken in the question by Governor Sheldon the relief asked for would not have been granted. The exchange passed resolutions thanking the governor.

## Quarantine Delays Immigrants.

Cattlemen are having trouble getting their stock across the river between Bismarck, Neb., and Springfield, S. D., by reason of the demand for inspection and the absence of a sufficient number of inspectors. The department of the interior has written the governor that immigrants are causing considerable delay at this point because they have to wait for the inspection of their cattle, and the suggestion is made for the appointment of an inspector for this place.

## Woman Found Dead in Room.

Mary Jane Bannister, aged about 35 years, was found dead at 1 o'clock this afternoon in her room at 174 F street, by Police Officer Kennedy. She had not been seen since last Thursday, and might have been dead for four or five days. There was nothing to indicate the cause of her death. Coroner Matthews made an examination of the body in the room, and could find no bottles about the room, or anything else that might have served in self-destruction, smothering or poisoning.

## An Inquest will be held tomorrow morning.

The woman had been looking to make a living by selling Bryan's book on his trip around the world. She had been at one time an inmate of the asylum.

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