

THEY CAN'T DODGE PATTISON.

The Governor Brings Every Witness Straight to the Point.

THE PACIFIC COMMISSION.

It Continues Its Inquiry Into the Peculiar Methods of the Union Pacific and Gets a Few Pointers.

The Commissioner's Fourth Day.

It was ten minutes after 10 o'clock this morning when the Hon. P. C. of the Union Pacific railway investigating committee, called that body to order. Before any witnesses were examined Mr. Kimball produced a statement which had been called for by the commission, showing all the pools with which the Union Pacific road had been connected. The paper, however, did not show the receipts and disbursements by the Union Pacific on account of these pools, and this was called for by Chairman Pattison. Mr. Kimball was asked to produce his diary on points relative to the business of the Union Pacific road, and efforts made to influence legislation in matters in which the road was interested. Mr. Kimball said the diary was his own personal property and he should decline to produce it. Governor Pattison wanted to know if witness had not promised to produce the diary in response to a call issued by the commission a couple of days ago. Mr. Kimball said he did not understand it. The stenographer, Mr. Davis, was asked to refer to that portion of Mr. Kimball's testimony in dispute, but had left his shorthand notes at the hotel and was unable to do so.

"Do I understand you to decline to produce before this commission those portions of your diary relating to the business of the Union Pacific railway and the efforts made to influence legislation on matters in which it was interested?" inquired Governor Pattison, fixing his keen, dark eyes on the general traffic manager.

"I will not decline to produce it; neither will I promise to produce it. I will use my discretion in the matter," replied Mr. Kimball blandly.

"When will you make up your mind as to your discretion in this matter, whether you will produce the evidence asked for or not?" pursued the governor.

"I will be ready to-day," replied Mr. Kimball.

David S. Barriger, who is interested in an elevator at the Council Bluffs transfer, was called. The members of the company owning the elevator were, he said, W. A. Faxon, E. H. Davis, C. W. Thomas and H. R. ... In addition there were six others interested in the elevator. The land on which the elevator stands is owned and leased to the company by the Union Pacific road. The value of the elevator and the land is about \$280,000. The Union Elevator company owns the building. The company consists of the Union Pacific, Washburn, Rock Island, Northwestern, Milwaukee, and Chicago, Burlington & Quincy roads.

"What do you pay the Union Elevator company for the use of the building?" was asked.

"Is it necessary for me to give the public our private business?" inquired Mr. Barriger.

"Do you decline to answer my question?" said the governor.

"I do for the present," said Mr. Barriger.

Mr. Poppleton advised the witness to answer, as the commission could take him before a court if he refused to answer. Thereupon he consented to answer, and the question being read over to him again, he said that last year the company paid \$5,000 to the Union Elevator company.

"Have you any competitors in the way of elevators in which the Union Pacific railway company is interested?"

"Himebaugh & Merriam have an elevator of the same kind on this side of the river," said Mr. Barriger.

"Have you ever been given rates by the Union Pacific more favorable than those given to other elevator companies?" asked the governor.

"Yes, sir," said the witness. "When other lines made cuts in their rates the Union Pacific road did the same for us. When other roads were quiet we got no cut rates. The Union Pacific was never the aggressor."

"Do you recall any period during the last three years when you failed to receive a rebate for a period of three months?"

"Yes, sir, there were such periods, although I could not name them now."

During the busy shipping season a rebate of one cent per hundred was granted by the Union Pacific to the elevator company, for transferring grain carried by it. Sometimes from certain points two cents per hundred was allowed. "Do any of your competitors enjoy the same rates and privileges given you by the Union Pacific road?"

wanted, and then proceeded with the examination of Mr. Barriger. The witness was asked if his company enjoyed the same privileges with the other roads as with the Union Pacific. He said they did. Being asked to name these roads, he said his company received these favors indirectly, so that he was not able to name them accurately.

At the conclusion of Governor Pattison's examination of Mr. Barriger, he was asked to explain the meaning of the words "preference" and "rebate." Judge Poppleton wanted to know if the words indicated that his company enjoyed any privileges at the hands of the Union Pacific that were not accorded to his competitors similarly situated. He said the words were not intended to convey the idea that his company was given the preference over other roads.

Charles Davis, of this city, now a real estate broker, was formerly engaged in the grain business at Council Bluffs, testified he had transferred grain for the Union Pacific at the rate of 2 1/2 cents per ton.

At this point a clerk in the employ of Himebaugh & Merriam handed Governor Pattison a subpoena issued for P. C. C. Himebaugh, the statement that Mr. Himebaugh was sick and unable to appear before the commission. The governor inquired if Mr. Himebaugh was not in his office when the subpoena was served. The clerk replied that he was, but that he had had an operation performed on his throat, and would be unable to talk. The governor said the commission would require the services of a physician to the effect that Mr. Himebaugh was unable to appear. If such was the case the commission would submit written interrogatories for Mr. Himebaugh to answer. The commission Dr. Bryant was afterward produced and accepted by the commission.

The examination of Mr. Wells was then resumed. The witness said that he had been making any money at it. The witness said that Dr. Miller was his partner.

"I don't think Mr. Wells would have been called if Dr. Miller had not been a partner," volunteered Judge Poppleton.

"Who is Dr. Miller?" inquired Governor Pattison.

"The editor of the Omaha Herald, and one of the leading Democratic politicians in the state. You ought to know him," said Judge Poppleton.

"Is that so?" laughed the governor.

"Then we must have him here. We have had a democrat on the stand yet that I know of."

After Mr. Wells had left the stand Judge Litter said: "Well, we might as well take up Kimball again."

Mr. Kimball was asked to give the lowest net rate given from the year 1884 to 1889 inclusive to the Omaha Elevator company, the Himebaugh & Merriam Elevator company, the Standard Oil company, the Union Cattle company, the Omaha & Grant Smelting and Refining works, and the Continental Oil company. The witness said he would look the matter up and do so.

Government Pattison wanted to know what the difference between the open rate and rate allowed to the Omaha & Grant Smelting works would be on the evening; it would amount to 50 per cent of the open rate.

Mr. Kimball thought it would not amount to that much and proceeded to give the difference in rates between Omaha and the Chicago Lumber company, and said they were allowed for the same reason that they were allowed to other business firms.

"Do you know of any officers of the Union Pacific road who are interested in companies who ship goods over the Union Pacific road?"

"Mr. Dillon and Mr. Ames are stockholders in the Omaha & Grant Smelting works, and President Adams is a stockholder in the Argentine Smelting works of Kansas City," replied Mr. Kimball.

"Mr. Adams, however, never asked for any special favor on the road on account of his connection with the Argentine Smelting works and in fact wrote me a letter in which he distinctly said that he did not wish me to discriminate in favor of any company in the matter of rates on account of his connection with it. Neither have Mr. Dillon or Mr. Ames ever asked me for any rebate on the Omaha Smelting works, because they were allowed to."

"Why have rebates been allowed to the Northwest Forwarding company of Salt Lake City?"

"The rebate was in the nature of a commission. The salt company took all the risk, invested its own money, looked after the collections and that sort of thing."

The witness was asked if any employee of the Union Pacific was interested in any road or business in which the Union Pacific was also interested.

"I can name one," replied the witness. "I have some stock in a Utah railroad in which the Union Pacific is also interested. I got it at par, and I would be glad to sell it at twenty-five cents on the dollar."

"What do you know of the J. A. Platte Mining and Smelting company?" inquired Governor Pattison.

"I know there is a company of that name doing business in Leadville," replied Mr. Kimball.

"Do you allow this company the same rate of rebate as that allowed to the Omaha and Grant Smelting company?"

This rebate was probably allowed in pursuance of an agreement with the other roads between the Missouri river and Denver, to allow special rates to newspapers.

"I don't find any other allowance of rebates to any other newspaper in Denver," said Governor Pattison. "Was it allowed to any other?"

"I don't know that it was."

"Didn't this amount to a preference?" said the governor.

"If one paper applied for a special rate and got it and another paper didn't apply and didn't get it, that would probably be in the nature of a preference," said Mr. Kimball.

Chairman Pattison was still making inquiries of Mr. Kimball in regard to specific instances where rebates were allowed, when the session adjourned until 10 o'clock this morning.

THE LAW AND THE BONDS.

The Statutes Upon Which the Refunding County Bonds are Based.

The county commissioners have sold \$265,000 worth of old bonds, which come due July 1, 1887, but have not yet issued the same. These bonds were originally issued twenty years ago for the construction of the Union Pacific bridge across the Missouri river; ten years ago they were re-issued with a reduction of interest from ten to eight per cent, and it is the intention to re-issue them now from eight to five per cent, to run twenty years more, in order that the increased taxation will not be felt so forcibly.

Concerning the new bonds, the County Attorney Simeral says there isn't the slightest ground upon which to raise a question, and in assuring the BEB reporter cited the following sections from chapter 45 of the compiled statutes of Nebraska:

Sec. 11. That any county, precinct or city in the state of Nebraska, which has hitherto issued or issued bonds or bonds to aid in the construction of any railroad or other work of internal improvement, and which bond or bonds or any part thereof still remain and are legal in full of such county, precinct or city, and bearing interest at a greater rate than seven (7) per centum per annum, is hereby authorized to issue coupon bond or bonds hereafter to be known as refunding bonds, bearing interest at a rate not exceeding seven (7) per centum per annum, to be substituted or exchanged for such bond or bonds heretofore issued whenever such county, precinct, or city can effect such substitution or exchange dollar for dollar; providing that such refunding bonds shall not be issued after four (4) publications of notice thereof in at least two weekly papers published in the county, precinct or city, and the authorities of such county, city, village or precinct, which notice shall state the date, number and denomination of the bonds sought to be refunded, and also of the bonds sought to be reissued.

And then:

Sec. 12. [No vote necessary.] The new bonds so issued shall require the vote of the people to authorize such issue. Shall be paid, and the levy be made and collected for payment of same in accordance with the laws now governing the said bond or bonds heretofore issued.

CIVIL ENGINEERING.

The Work That is Being Done by an Omaha Firm in That Line.

The firm of Rosewater and Christie, civil and sanitary engineers of this city, have just been engaged to design a system of sewerage for Wichita, the metropolis of Kansas. This is the third city that has engaged this firm to design sewerage works within the past sixty days. They have recently closed their contract with the city of Lincoln, of which they assumed charge last August, as engineers of sewerage, and are engaged in numerous other enterprises in this vicinity. Among the latest designs for work near Omaha, upon which they have been engaged, are a waterworks, sewer and electric lighting system for Dr. Geo. L. Miller at Seymour Park. The doctor, we understand, proposes to have the most complete motor and lighting facilities in the city, and his allotment at the park before placing it in the market. The contracts for the work will be let this season, and prosecuted as fast as practicable. In view of their increased work the firm of Rosewater & Christie has just added to its membership, Jesse Lowe, of this city, a graduate of the Troy engineering school, and who has been, since recently, engaged in railway and iron bridge engineering works. Their office is the most complete of any engineering office in the west, having three suites of rooms for their employees in Grand Central, which keep a large number of field men in the various towns where they are employed to design and supervise municipal public work.

MATRIMONIAL.

Marriage of Mr. A. H. Winn, of Salt Lake, to Miss Minnie Rath.

Miss Minnie Rath was quietly married yesterday at noon in Trinity Cathedral, by Dean Gardner, to A. H. Winn, of Salt Lake. The ceremony was witnessed only by the immediate friends of the bride and groom.

Miss Rath is well known, was society editor of the BEB during the past season, and was esteemed an able and versatile favorite among her conferees. She is endowed with a rich, contralto voice, which will now be missed in the Mendelssohn quartette, as also the choir of Trinity Cathedral. While capable of accomplishing a great deal in a musical way, her ambition led her to aspire higher than mere identification with music and musicians and she found a congenial occupation in journalism. In this respect, her success has been most apparent. Miss Rath is the step-daughter of D. H. Stewart, of this city, and only daughter of the late William Rath who formerly held many responsible public offices in Canada, who was with equal success in politics and with politics and letters, having twice declined parliamentary honors.

Mr. Winn is a young man not only of wealth and standing but of shrewd intellect and high moral qualities. Mrs. Winn will be at home at the Continental Hotel in Salt Lake after October 1. They leave this evening at 6 o'clock for the city on an excursion to four. They leave with the happiest of kind wishes from many sincere friends in this city.

Estimates for glass furnished by Cummings & Neilson, jobbers of Plate, Window and Ornamental Glass, Paints, Oils, etc., 1118 Farnam St.

MORTUARY MATTERS.

Facts About Those Who Have Departed This Life.

Metha Grotte, the little girl who was burned Tuesday afternoon, died from her injuries Wednesday night at 5 o'clock. Her funeral will take place to-day at 10 o'clock, under the auspices of the Congregational church, from the residence of her parents, Twentieth street, near St. Mary's avenue. The remains will be interred in Pleasant Hill cemetery.

CUNYAN. The remains of George Cunyan, the young man who died recently at St. Joseph's hospital, were forward yesterday afternoon to the home of the father of the deceased in Conception, Mo.

hospital. He there died at 3 o'clock yesterday morning. His body now lies in Burket's rooms on North Sixteenth street.

ARMY NEWS.

The annual department rifle competition, between the selected marksmen of the department of the Platte, will take place on the Bellevue rifle range, under the direction of Major Guy V. Henry, Ninth cavalry, inspector of rifle practice of this department, commencing Monday, August 15 next. Post commanders will send the enlisted competitors from the posts under their command, in time to report to Captain Cyrus A. Earnest, Eighth infantry, who will command the department rifle camp, on the range, August 13 next.

J. McDonnell, F. A. I. A., Architect, N. E. cor. 15th and Dodge.

GOING TO LAW.

It was rumored on the street to-day that legal proceedings were about to be begun to adjudicate the questions between the council and the police and fire commissioners. Mayor Hroatch said he understood the latter contemplated some action of that nature, but with the details he was not at all familiar. The commissioners would not reveal their contemplated action.

A SONG OF THE SWAN.

In another part of the BEB will be found a telegram from Cheyenne, referring to the possibility of Alex Swan's establishing a million dollar canning factory in this city. Hon. John A. McShane, who has knowledge of Mr. Swan, both as regards intention and possibility, was asked what he thought about the story.

"It's all arrant nonsense," was his terse reply.

A BARGAIN.

I have for sale at a bargain 20 acres situated on the main line of the B. & M. R. R., and near the new South Omaha depot at the terminus of the dummy line. Plenty of good, clear spring water, and an elegant grove of native timber, suitable for a summer garden.

W. G. ALBERT, 218 S. 15th st.

QUIN BOHANNON'S ADIEU.

Quin Bohannon, who shot and killed George Cook at Waverly three years ago, and who was in jail at Nebraska City under sentence of death, escaped last night in a highly sensational manner.

BERNARD DORAN'S HORSES.

The sale of the team of horses and express wagon of the late Bernard Doran, for the benefit of his widow, will take place next Saturday night at James Flannery's, on Sixteenth and Vinton streets.

ROYAL BAKING POWDER Absolutely Pure. This powder never varies. A marvel of purity, strength and wholesomeness. More economical than the ordinary kinds, and cannot be sold in competition with the multitude of low cost short weight adulterated powders. Sold only in cans. ROYAL BAKING POWDER CO., 101 Wall-st., N. Y.

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THIS SEASON'S

business has been a surprise to us, particularly the enormous sales during the past four weeks. We are determined to keep it up. New goods are constantly arriving by express, and every day we have new bargains to offer. This time it's in the furnishing department. Our fancy Percale Shirts at 35c are equal to any 75c shirts offered by other houses. Better ones in proportion. The white laundered shirts which we are selling for 70 and 90c cannot be had elsewhere for less than double the money. In unlaundried white shirts we have one at 30c. We do not keep it for a special sale, but sell it every day for that price, and it is as good a shirt as others are offering at special sales for 40c or 50c. In Underwear our sales have been marvelous and we cannot get them in fast enough. Our 15c gauze Shirt is the talk of the city---another supply has come. We have also just opened an extra fine short sleeve clouded gauze Shirt, a novelty in color, at 35c. The shirt is cheap at 60c. Our 25c a dozen four in hand Scarfs are the hit of the the season. No old stock, but new, fresh and beautiful patterns; the manufacturer cannot make them fast enough for us. Other dealers sell them at 10c apiece. A novelty in this line is a straw scarf a beautiful thing, 20c. You can see it in our corner window.

All goods marked in plain figures and at one price.

Nebraska Clothing Company, Cor. Douglas and 14th sts., Omaha.

GREAT REDUCTIONS

New York & Omaha Clothing Co

We desire to call special attention to our great reduction on Summer Suits which we can promise are, at their present prices, the cheapest goods in the market. Our \$6, \$8, \$10 and \$12 suits, we now sell for \$4, \$5, \$6 and \$7. Also a splendid line of all wool Casimere and Worsted suits that were selling for \$13.50, \$15, \$18 and \$20, are now selling at \$10, \$13.50 and \$15. Our line of summer Coats and Vests has been replenished, and now we can again show the largest assortment of these goods, in Flannel, Serge, Seersucker, and all manner of Summer Goods and put-terns. Have you seen our 75c Underwear? If not, come and see the same quality of goods you have been paying \$1.25 and \$1.50 for. In the Children's and Boys' department we have had the knife at work, and now we show our enormous line at extremely low prices. Think! A good suit for \$1.50, \$1.75 and \$2. Our entire line of \$6 and \$7.50 suits have been reduced to \$4 and \$4.50. Straw Hats at 40c, 50c and 75c. Grey Still Hats at \$1.50, \$2 and \$2.50, and for other styles just look at our hat show in the window and you will see the cheapest line you have ever had the good fortune to look upon. Do not forget that each purchaser of goods to the amount of \$2.50 will receive a ticket on the Pony and Cart, which is to be given away on the 4th of July.

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TANSILL'S PUNCH 5¢. Your Tansill's Punch 5¢ cigar gives real satisfaction, but competition here is very great. I think after a while I may be able to sell more of them. T. ROBERTS HARKER, Treasurer, Richmond, Va. ADDRESS, R. W. TANSILL & CO., CHICAGO. WEAK UNDEVELOPED PARTS OF THE BODY ENLARGED AND STRENGTHENED. Full particulars sent (sealed) free. Also Medical and Surgical Instruments.

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