

BANKERS UNION IS SOLVENT

Referee Says, However, it Must Change Its Method of Transacting Business.

CANNOT ABSORB OTHER SOCIETIES

State Expresses Itself as Being Satisfied with the Findings in the Case of Referee Ryan.

(From a Staff Correspondent.)

LINCOLN, Feb. 27.—(Special.)—The Bankers Union of the World will have to change its present methods of doing business in several instances if it is to continue as an organization, should the report of Referee Ryan in the supreme court this afternoon be the decision of the court. The report finds for the state in most instances, though it denied that the evidence sustained the allegation of the state that the company was insolvent. It denied also that the evidence showed that President Spiney had drawn a larger salary than he was entitled to.

Referee Ryan held that should the company continue to do business it should be enjoined from allowing its officers to appoint a board of directors; it should be enjoined from paying to President Spiney and President Spiney should be enjoined from receiving commissions on business done, the company should be enjoined from withholding information regarding the order that may be required by the auditor; the company should be enjoined from merging into its order other companies, and President Spiney should be enjoined from prosecuting the case for the state, as well as satisfied with the report of the referee and will file a motion for judgment upon the findings of facts submitted.

After discussing the evidence at length Referee Ryan came to this conclusion of law:

Conclusion of Law.

As a conclusion of law I find that the policy of the legislature is that the interest of the membership of the Bankers Union should be considered in the determining of a case of this character and that insurance of its numerous membership should not be destroyed unless it is necessary for business in this state.

There is a provision in section 312, chapter 31, compiled statutes, that before any amendment, change or alteration of a constitution and bylaws of a fraternal beneficiary association shall take effect or be enforced a copy thereof shall be filed with the auditor general of the state. The provisions I draw two conclusions, and they are, first, that the said auditor shall not file any statement of a company unless it has first drawn two conclusions, and second, it seems to result as a necessary consequence that the auditor, in the filing of an amendment to the policy which such amendment contains.

Mergers Should Be Enjoined.

The "taking over" of other fraternal beneficiary societies is contrary to public policy, for the reasons set forth in the above finding of facts, and it is contrary to the provisions of the statute providing for the physical examination of members of the taking in of members over 65 years of age, if the Bankers Union is permitted to do business it should be enjoined from merging into its order other companies, and President Spiney should be enjoined from receiving pay or credit for commissions to any amount of that character.

Paupers to Be Deported.

Every alien who is a pauper or an imbecile and who is a charge upon any county of the state, will be sent back to the country from whence he came. Secretary John Davis of the State Board of Charities and Correction, who at the request of the Department of Commerce and Labor of the national government, has been looking up these cases, together with other information for the use of the department, will soon make his report, which will show that there are a large number of such in the state.

Betta Will Help Son.

John Betts of Omaha was here today looking after the interests of his son, Frank Betts, who was bound over to the district court on a charge of forgery. The elder Betts informed the officers that he would spend the last cent he had in assisting his son, though he knew that as soon as he was free again the boy would have no more to do with his father and mother. He will secure bail for the boy, though he told the officers that he doubted not that his son would run away and he would have to pay it. The father believes that the evil companions the son met while in the reform school was the cause of his downfall. The boy passed bad checks on a number of jewelers here two weeks ago.

has become naturalized, he can be deported.

RUSSIA'S HOSTS WILL WIN IN END.

Dr. Steiner Predicts Contest Between Saxon and Slav Later.

FREMONT, Neb., Feb. 27.—(Special.)—Dr. E. A. Steiner of Grinnell, Ia., lectured before a large audience at the Congregational church last evening on "Russian Problems of Today." The speaker has traveled extensively in Russia during the past eight or ten years and last summer spent six months in that country, mingling with all classes of people and stopping for some time with Count Tolstol. The densest ignorance, he said, prevailed among nine-tenths of the Russians and on account of the Russian papers publishing nothing about their country, and the censoring of such foreign news as the censors permitted, the educated classes knew but little about their nation. This nine-tenths actually knew less about the present war and its causes than the country farmer in Nebraska. The peasantry, though obliged to serve in the army, paid averaging \$35 a week, while their average income was only \$125. Not having a foot of land which they could sell, poor, half-starved and governed by no law but the arbitrary acts of an official and not permitted to leave their villages without a passport given on thirty days' notice, were the condition of the country and good soldiers. Human life in Russia, he said, was held at little value and for this reason only he thought Japan would eventually be defeated. With its enormous resources and millions of men Japan would be eventually overwhelmed on the land. The impending contest between the Anglo-Saxon and the Slav, and victory for Russia would be the predominant of Imperialism, ignorance and oppression over modern civilization and would not be permanent.

The address was a terrific arraignment of Russian Imperialism and was listened to with close attention.

WACO BUSINESS HOUSES BURN.

Loss Is Estimated at Fifteen Thousand and Insurance Is Light.

YORK, Neb., Feb. 27.—(Special.)—A fire was discovered early this morning in the stores of Plants & Co. at Waco, the first town east of York, and in a short time the four store buildings of Plants & Co. and the four store house were burned to the ground. There is no fire company or water works at Waco and the citizens with buckets did all they could to put out the fire. By hard work they saved the bank building on the east. The two burned buildings were of frame construction and were owned by Plants & Co. There was a stock of general merchandise and a good stock of hardware, and the four house contained a large stock of flour.

The amount of loss is \$15,000. There was insurance as follows: Home of New York, \$2,800; State of Omaha, \$1,000; Transmississippi of Omaha, \$1,000; Nebraska Mercantile of Lincoln, \$1,500. Nothing was saved. It is the general belief that the buildings were set on fire and the business men have offered \$1,000 reward for the arrest of the guilty parties. Every effort will be made to learn who they were. In 1891 Plants & Co. suffered total loss and at that time had no insurance.

WEEK FROM CRIME TO SENTENCE.

Two Men Sent Up Seven Days After Breaking Into Freight Car.

NEBRASKA CITY, Neb., Feb. 27.—(Special.)—Judge Jensen today refused a new trial to the two men, Harry Welch and John Sumler, who were convicted of breaking into a freight car and stealing \$100 and \$25 from it, and five years, respectively. This is the quickest time justice has been meted out in this court, it being a week ago today that the crime for which the men were sentenced was committed. Court has adjourned for this session.

G. A. R. Dinner and Campaign.

DAVID CITY, Neb., Feb. 27.—(Special.)—Yesterday was a gala day for the members of the Grand Army of the Republic and the Woman's Relief corps. For the purpose of replenishing a depleted treasury a sumptuous dinner and supper was served at Odd Fellows' temple. Last night a camp fire was held, at which Governor Mickey was the principal speaker. C. D. Casper, commander of David City post; J. G. Sholes and others also entertained the large audience with reminiscences of their experiences while in the service. The matter was furnished by a mixed quartet. This is the first time that Governor Mickey has appeared before a David City audience since his election. The net proceeds of the day and evening were about \$75.

Sarpy County Suit Is Compromised.

PAPILLION, Neb., Feb. 27.—(Special.)—The trial of the case of W. R. Patrick, county attorney, against the County Board of Sarpy county, came up before Judge Sutton in the district court here a few days ago and a settlement was arrived at. Patrick had brought suit against the board in an attempt to prevent them allowing a claim of \$10,000 in favor of the Sheeley Bridge company, for the construction of the Elkhorn river bridge. All concerned came to an agreement which was approved by the court, whereby the payment of the amount of the claim was contingent on the funds were on hand. It was further decided that Patrick did right in enjoining any construction work after Sheeley's contract with the county had expired.

Plans for David City Chautauquus.

DAVID CITY, Neb., Feb. 27.—(Special.)—The fourth annual session of the David City Chautauquus assembly will be held in Chautauquus park July 20 to 31, inclusive. E. Williams and G. W. Gates will again have the management of the assembly, with Rev. H. Harmon of Columbus, Ind., superintendent. Mr. Harmon is not procuring speakers, musicians and entertainers of national reputation. The organization of a chautauquus association with a said up capital sufficient to insure its success in the future is now being considered.

Farewell to Pastor Lewis.

SYRACUSE, Neb., Feb. 27.—(Special.)—Members of the Congregational church gave a farewell surprise last night to Rev. Frank Lewis of this place, who organized the Nebraska section of the Mediterranean cruise in connection with the world's fourth Sunday school convention at Jerusalem, which takes place in April. Mr. Lewis will personally accompany a party to the Holy Land and will leave home in a few days. A large number of his friends presented him with parting gifts.

Methodist Men Serve Supper.

YORK, Neb., Feb. 27.—(Special.)—One of the events looked forward to each year is the men's supper, prepared and served by the men of the Methodist church. This year's supper was served last evening at Fraternal hall, where hundreds were served with a four-course dinner, after which a very fine musical program was rendered by some of the local musicians in the parlor.

Will Not Rebuild Stucco Mills.

BEATRICE, Neb., Feb. 27.—(Special.)—It is reported here that the stucco mills, which were destroyed by fire at Wymore recently, will not be rebuilt. The plant employed about forty men.

York Y. M. C. A. Engages Evangelist.

YORK, Neb., Feb. 27.—(Special.)—The Young Men's Christian association has engaged Billy McClure, the engineer evangelist, to conduct four meetings next week.

BIT OF NEBRASKA HISTORY

Exciting Episode that Marked Session of Legislature of 1887.

PASSAGE OF ANTI-GAMBLING STATUTE

Discovery of the Plot to Bribe Its Defeat and How the Boodlers Choked Off an Investigation.

A sensation has recently been created at the state capital by an opinion given by Attorney General Prout, holding the anti-gambling law of Nebraska unconstitutional on account of alleged irregularities in its passage. The sections in question, 214 and 215 of the criminal code, make gambling as well as the keeping of a gambling house, a punishable offense, and a penitentiary offense and also provides for the recovery of money lost in a gambling house. With these sections out of the way, parties convicted of gambling, or keeping a gambling house would be subject only to a fine of \$100, or three months in the county jail. The State Journal says: "The act which Attorney General Prout declares invalid is one that was passed in 1887. At that time open gambling houses were running in Lincoln, Omaha and other cities. The gamblers were wearing diamonds in those days. It is known to some of Governor Thayer's friends that he was offered a bribe of \$5,000 to veto this act. He ordered the messenger from his office and few ever knew that the governor could have received a small fortune by a scratch of his pen."

Recalls an Exciting Episode.

The controversy over the validity of the gambling law recalls one of the most exciting episodes in the history of Nebraska legislation. The law making gambling a felony was enacted during the memorable session of 1887. The bill was introduced in the senate at the instance of black-mallers with other hoodlum measures and was not expected to pass, but the reputable editor of the State Journal, J. S. B. Harlan, who was then in Lincoln, Iowa, through the disappointment of the game.

When the bill reached the house it was referred by the speaker, N. V. Harlan, to the Judiciary committee, of which the respectable "Colonel" Henry C. Russell was the chairman. That committee had for its members the editor of the State Journal, the legislator and they at once proceeded to negotiate with the gamblers to sidetrack it. This action was anticipated by the editor of The Bee, who had a very efficient detective circulating among members, who managed to ingratiate himself into the confidence of both the hoodlum gang and the gamblers.

Charges of Hoodlum Mobs.

When matters were about to culminate the editor of The Bee, standing in front of the bar of the house sent the following letter by one of the pages to the speaker who read it to the house:

SIR: I have the honor to inform you, N. V. Harlan, Speaker of the House of Representatives, I desire through you to make known to the members of the house the fact that I am in possession of information which warrants me in making the charge that members of the hoodlum mob, who were in possession of said Judiciary committee, Senate file No. 38, an act to amend sections 214 and 215 of the criminal code, to expunge a large sum, reported to me as \$5,000, from certain keepers of gambling houses at Omaha, Neb., which sum the said members of the committee were to receive in return for procuring an adverse report by the committee against the anti-gambling bill and cause its final defeat.

A large sum amounting to several thousand dollars was reported to me as having been paid to the hoodlum mob, who were in possession of the parties interested, and placed at the disposal of members of the legislature who were in collusion to carry out this corrupt bargain. I am also reliably informed that a corruption fund was raised and distributed through contractors for public works and parties connected with corporate interests to bring about the defeat of, or radical change in, Senate file No. 38, known as the Omaha charter bill.

Committee Begins Its Work.

The reading of the letter created a profound sensation on the floor of the house. It was appointed by the speaker to investigate these charges, with power to summon witnesses, and report to the house as soon as possible all information touching this case. Immediately after the house had taken its noon recess the committee met at the residence of the speaker, and a statement was read by the speaker, who said: "I have the honor to inform you that the committee has been organized and is ready to begin its work."

SLEEP IS PRICELESS

But It Can Be Obtained by Simple Methods.

Are you a hard worker? Are you overcome with fatigue at the end of each day's labor, and instead of retiring to bed with a feeling of satisfaction at the prospect of a night's repose, do you wait the hour of bedtime with dread and shrinking? Is it your unhappy lot to be awakened every night, just after you have dropped off to sleep, by an intense uncontrollable itching of the rectum? Do you then endeavor to relieve the sensation by scratching so desperately that the skin becomes raw and lacerated, and you finally sink into the sleep of exhaustion? If so, you do not need to be told that you are afflicted with itching piles. You have probably tried every remedy you could hear of, with but temporary relief. If any, and have concluded there was nothing left for you but to drag out a miserable existence. As a drowning man grasps at a straw, so should you eagerly devour the words of W. O. Milburn, 79 Pearl St., Reading, Mass.

Gets Damages from Rock Island.

FAIRBURY, Neb., Feb. 27.—(Special.)—In district court C. W. Arvey recovered a judgment against the Rock Island railway for \$100 for personal damages sustained while working for the company. He sued for \$2,000 damages. Delvan Herbert, who was charged with stealing a caddy of tobacco from the Rock Island freight house, was acquitted by the jury.

Polk County District Court.

OSCEOLA, Neb., Feb. 27.—(Special.)—Judge Arthur J. Evans named a grand jury for about twenty-four hours this week and there has never been a time in the county when cases have been disposed of more quickly, and the bar docket so nearly cleaned. Judge T. H. Saunders was appointed as attorney of the board of insolvency in the place of Judge M. A. Mills.

Farmer Wins Suit.

PAPILLION, Neb., Feb. 27.—(Special.)—William Ely, a farmer in the south part of the county, won a suit against the Mis-

bers susceptible to pressure to make sure of their support for the movement that was to take place on the floor of the house the following day.

Defeated the Investigation.

Following this onslaught they forced through a resolution directing the committee to conduct the investigation in the open. Having succeeded in their first effort they followed it up with another resolution injecting four new members, who were in close touch with the gang, into the committee, and by these tactics they foiled effort to uncover the conspiracy for the time being. Thereupon Mr. Rosewater withdrew his memorandum and handed the chairman of the investigating committee the following letter:

OMAHA, Neb., Feb. 16, 1887.—Hon. John A. Dempster, Chairman Special Investigating Committee, House of Representatives. My Dear Sir:—Under the new conditions imposed upon your committee, I have come to the conclusion that it would be a waste of time to undertake to establish the charges which I have made in good faith. The memorandum which was placed in your hands when the committee first organized contained very ample and circumstantial proofs against the parties implicated in the conspiracy to defeat Senate file No. 38. I am sorry that the committee was not organized separately, within closed doors, expectation of course, and that the committee would also examine each of the members accused of collusion, and give him an opportunity to explain by a sworn affidavit or own testimony, and if possible clear himself by furnishing corroborative proofs to overturn the charges. It would be utterly impossible with open doors to carry out such a program, hence the end would be a mere acknowledgment that money had been collected for the purpose of defeating the bill, but that proofs were wanting to condemn the charge of conspiracy. That would whitewash the very men whom I should be guilty by a superabundance of proof on the floor of the house when the charges were preferred. To establish the fact of conspiracy, that members of the Judiciary committee, implicated in the conspiracy, could be sworn to, would be a base and unwarranted insult to the Judiciary committee, and would be a reflection upon the honor of the house.

It had been my intention to push the investigation as I told you personally, but the committee sat at Omaha Wednesday and Thursday and finish the inquiry by Friday. This course being now impossible, I respectfully request that the proceedings be closed as they are, and that no further expense upon the state. I regret business compels me to make a trip to Cleveland on my return, but I shall be glad to persist in making the investigation. I shall be at your service. Very respectfully, E. ROSEWATER.

Apotheosis of Russell.

Three days later the legislature took a recess to attend the annual Grand Army encampment at Omaha and the business of the session was left to the hands of the Grand Army, who had never even held a commission as corporal, and procured his election as department commander of the Grand Army. This was held as a great triumph over Rosewater.

In the meantime, the latter, who was then making preliminary arrangements for financing the erection of The Bee building, went to Cleveland to confer with parties interested in the building project, but before leaving notified the committee that he would return within a week and proceed with the investigation. It was persisted in. On his way, however, he read a dispatch from Lincoln in the Chicago Times announcing that the house of representatives had severely reprimanded him for running away, and pronounced his charges baseless and the committee as free from guile as a new born lamb.

Thereupon he wired Speaker Harlan, saying he had no objection to the bill being passed on his way back and would appear within forty-eight hours at Lincoln to proceed with the investigation, but the house was not in a frame of mind to investigate. In the meantime the anti-gambling bill passed the house unanimously, because nobody dared to go on record against it. Since its enactment the editor of The Bee has endeavored to secure its repeal, but his efforts have varied from \$5,000 to \$7,000 in each instance have been hung up by the gamblers, but their effort has proved unavailing. The law is still on the statute book and it is doubtful whether Attorney General Prout would be sustained by any court, high or low, in pronouncing it unconstitutional on account of flaws in its passage.

Charged with Threatening Widow.

BEATRICE, Neb., Feb. 27.—(Special Telegram.)—Late this afternoon a warrant was sworn out by Assistant Attorney General Folwell for the arrest of Charles A. Folwell, who is suspected of being the person who attempted to obtain \$1,000 from Mrs. Prible, a widow residing near Odell, by threatening the life of herself and family. Sheriff Trude left this evening for Folwell's home for the purpose of placing him under arrest and is expected to return with his man late tonight or tomorrow. Folwell is a man of family and lives just over the Gage county line in Jefferson county. He was arrested some time ago for stealing oats.

Superintendents Inspect Road.

BEATRICE, Neb., Feb. 27.—(Special Telegram.)—A party of Union Pacific officials passed through the city this afternoon on a tour of inspection of the southern division. A number of the city's leading business houses, those comprising the party were Superintendents Gruber, Deuel and Brinkerhoff, Assistant Superintendent Charles Ware, First Assistant General Freight Agent Charles Lane, Superintendent of Buildings and Bridges, Schenckhorst, General Agent E. B. Clausen, at Lincoln. The party traveled on a special train.

Women Will See Blind Pupils.

BEATRICE, Neb., Feb. 27.—(Special.)—At a meeting of the Woman's club held yesterday it was decided to have Prof. Mory, superintendent of the Nebraska school for the blind at Nebraska City, give an entertainment in this city March 2. The entertainment will consist of musical numbers and demonstrations in algebra and geometry and will be given by sixteen blind pupils.

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|---|-----------------|---------------|-------|
| French Creme de Menthe and other cordials | | \$1.50 | 78c |
| Old Holland Gin—full quarts | | 1.25 | 68c |
| O. F. C. Taylor Whiskey—full quarts | | 1.00 | 59c |
| Blackberry Brandy—full quarts | | 1.00 | 48c |
| Old Apple Jack—full quarts | | 1.25 | 68c |
| Stuart's Pure Malt Whiskey—full quarts | | 1.00 | 68c |
| Domestic Wines—assorted | | .40 | 19c |
| Swenska Punch and Aquavit—full quarts | | 1.25 | 68c |
| Old Apricot Brandy—full quarts | | 1.25 | 68c |
| Irish and Scotch Whiskey | | 1.25 | 72c |
| Cigars (box of 12) | | .50 | 24c |
| California Port, Claret, Sherry and other wines | | .50 | 28c |
| Harding's Pure Rye—full quarts | | 1.00 | 68c |
| Crystalized Rock and Rye—full quarts | | 1.00 | 68c |
| Domestic Champagne—pints | | .75 | 50c |

There are a lot more too numerous to mention. Come and see us and get prices.

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Cereal Company Suffers Loss.
NEBRASKA CITY, Neb., Feb. 27.—(Special Telegram.)—Fire at the Great Western Cereal company's plant today caused about \$500 loss by fire and water. The fire department at the factory responded quickly and prevented a larger loss.

Grand Army at Beatrice.
BEATRICE, Neb., Feb. 27.—(Special.)—The Nebraska Grand Army of the Republic will celebrate the thirty-second anniversary of the battle of Shiloh in this city April 8 and 9. Several good speakers have been engaged for the occasion.

March Term Opens Tuesday.
PLATTSMOUTH, Neb., Feb. 27.—(Special.)—The March term of the district court will convene in this city next Tuesday, with Judge Paul Jensen on the bench. The bar docket shows there are twenty-five civil, twenty equity and six criminal cases.

Falls Down Elevator Shaft.
BEATRICE, Neb., Feb. 27.—(Special Telegram.)—H. W. Cozad fell down an elevator shaft at the Arcade restaurant today and was badly injured. His escape from instant death seems remarkable.

Cement Company Incorporates.
TRENTON, N. J., Feb. 27.—The Diamond Portland Cement company, capital \$1,000,000, was incorporated here today.

Chops His Foot with Axe.
FAIRBURY, Neb., Feb. 27.—(Special.)—A young man named Clark McCurdy, while chopping stove wood last evening, struck his left foot with the axe, severing an artery and several muscles. The wound is a serious one, but it is thought the foot can be saved.

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- 2—There is nothing put into it to make it poor.
- 3—The net sum he has received is less than the amount he has paid.
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