

WHO MAKES THE TAX LEVY

Omaha's School Board and Council Before the Supreme Court.

MEANING OF THE LAW FULLY DISCUSSED

Attorney Melke Contends that the Council's Duty is Ministerial and Attorney Connell Argues that it is Discretionary—Supreme Court News.

LINCOLN, March 6.—(Special to The Bee.)—The case in which the school district of Omaha applies to the supreme court for a peremptory writ of mandamus to require the mayor and city council of that city to levy a tax upon the taxable property of that city sufficient to raise the sum of \$70,000 for the support of the schools for the year 1894-5 was argued before the supreme court this forenoon.

Attorney Melke contended that the council's duty is ministerial and that the council is bound to levy a tax of \$70,000 for the support of the schools for the year 1894-5. He argued that the council has no discretion in the matter and that its duty is purely ministerial.

Attorney Connell contended that the council's duty is discretionary and that it has the right to determine the amount of the tax to be levied. He argued that the council is not bound to levy a tax of \$70,000 and that it has the right to levy a tax of any amount it deems proper.

The court heard the arguments of both attorneys and will render its decision at a later date. The case is expected to be a landmark one in the history of municipal government in Nebraska.

DELATED BY THE COUNCIL

Another Effort to Secure Important Improvements at Lincoln Falls.

IS CHARGED TO RAILROAD INFLUENCE

Officials of the B. & M. Alleged to Have Prevented a Quorum Being Present for the Purpose of Defeating Proposed Legislation.

LINCOLN, March 6.—(Special to The Bee.)—The citizens of Lincoln who have been working to secure a viaduct over the tracks of the several railroad companies north of the city have met with a rebuff that is likely to delay the construction of the viaduct for another year.

The ordinance has also been before the council for some time, but action has been postponed upon one pretext and another. The bond election has been called for April 3, and last night was the last upon which the council could pass a definitive ordinance giving the voters the notice required by law. It was freely predicted all day yesterday that a quorum could not be secured and last night the predictions were verified.

It is alleged that the officials of the B. & M. railroad company were present at the council meeting and that they used their influence to prevent the council from passing the ordinance.

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DELAYED BY THE COUNCIL

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MAKING FRIENDS—NOT MONEY

CHEESE CLOTH

10c A YARD.

ECONOMY BASEMENT.

Best 9-4 Sheeting.

10c Value 25c.

Lot Half Wool Challies,

10 1/2c Regular 20c goods.

Handsome Japanese Silks,

23c Value \$1.00 and \$1.25.

Storm Serges,

all wool,

30 1/2c Value 60c.

English Whipcord,

58 1/2 Value \$1.00.

Novelty Black Goods,

78 1/2 Value \$1.15.

from the friends of E. C. Hockenberger, the defaulting secretary, to settle the claim of \$2,000 shortage for \$1,000, the vote standing for Lincoln and in sanguine for the success of his bill.

LINCOLN IN BRIEF.

Joseph A. McGraw today commenced suit against the Rock Island for \$20,000 damages.

The First National bank of Cadiz, O., today secured a judgment against the Capital National bank in the amount of \$10,000.

The democratic city convention has been called to meet on Friday of the present week.

The residence of R. C. Outcalt, cashier of the defunct Capital National bank, was this afternoon sold at public auction.

Nuckolls County Teachers Organize.

NELSON, Neb., March 6.—(Special to The Bee.)—An unusual degree of interest is manifested in educational affairs in Nuckolls county.

GRAND ISLAND, Neb., March 6.—(Special Telegram to The Bee.)—Receiver Westcott has announced that a dividend of 25 per cent had been declared to the depositors of the Citizens National bank, payable about April 15.

Paying an Early Dividend.

CHILD'S DIVIDEND MANGLED.

KEARNEY, Neb., March 6.—(Special Telegram to The Bee.)—This afternoon while a young son of John Barnds, living south of town, was out hunting, he was resting on his gun with his hands over the muzzle when it was discharged, the contents passing through his hands and taking off part of his left ear.

Working for Dr. Miller.

CRETE, Neb., March 6.—(Special Telegram to The Bee.)—The city council of this city, by unanimous vote, telegraphed the following to the president today:

Red Cloud Residence Destroyed.

RED CLOUD, Neb., March 6.—(Special to The Bee.)—At 1 o'clock last night the dwelling of B. F. Mizer, the finest residence in the city, caught fire and was nearly destroyed.

KILLED BY CAVES-IN.

FOUR MINERS IN ONE MINE AND THREE IN ANOTHER LOST THEIR LIVES.

SCRANTON, Pa., March 6.—Four men of a mine shaft here were killed in the Richmond shaft. The accident was caused by the fall of some rock from the side, near the bottom, and as a consequence of an explosion of gas. The victims are: THOMAS HOLLWELL, married, wife and child; RICHARD HUGHES, single, 27 years old; JAMES NORTHERN, single, 29 years old; ALBERT RICHARDS, single, 24 years old.

On Trial for Murder.

In the criminal section of the district court the case of the state against Edward J. Collins was taken up late in the afternoon and the work of securing a jury began.

To Make Up the Time They Lost.

HAMMOND, Ind., March 6.—After being out a week the East Chicago strikers decided to accept the reduction and nearly all the men have returned to work.

Refused to Compromise.

GRAND ISLAND, Neb., March 6.—(Special Telegram to The Bee.)—The Board of Education at its meeting last night rejected the proposition

WALKER BARGAINS

For This Week as Long as They Last.

The great inroads we have been making in the great Walker stock leaves no shadow of doubt in our minds that an appreciative public will have taken the last vestige of the stock off our hands by the end of the week.

We quote some specimen bargains still left which will bring us thousands of buyers for the balance of the week.

Buy now. Get some of the plums which are dropping. Goods are bound to be much higher and choice goods are scarce.

These specimen bargains only for this week. Many more like them abound in all departments.

10c Value 25c.

10 1/2c Regular 20c goods.

Handsome Japanese Silks,

23c Value \$1.00 and \$1.25.

Storm Serges,

all wool,

30 1/2c Value 60c.

English Whipcord,

58 1/2 Value \$1.00.

Novelty Black Goods,

78 1/2 Value \$1.15.

FOUND NOTHING BUT DEBTS

Embarrassing Situation with Which an Administrator Has to Deal.

AN ESTATE THAT FAILED TO PAN OUT

Mrs. Erickson Alleged to Have Captured Her Husband's Property—For Possession of Three Children—Other Court Cases.

The county court was busy yesterday in the attempt, on the part of Frank Heller, administrator of the estate of Chris L. Erickson, to find some property belonging to the estate with which to liquidate numerous bills that have been filed against it, as well as numerous fees of his own as administrator which have never been satisfied.

They Must Stand Trial.

James H. Howard, William F. Herman and N. D. Coleman, the men who were bound over to the district court on the charge of swindling in connection with the selling of tickets to an alleged charity ball which was held in the city last night, were brought before the court yesterday afternoon on a writ of habeas corpus.

Legal Fight for the Children.

There is a pretty little fight on in the county court over the possession of three children. The children are Josie, aged 7, Frank, aged 11, and Emma Timeman, aged 12.

Burness Allowed Nine Hundred.

The jury in the case of Burness against the Cudahy Packing company returned a verdict in favor of the plaintiff for \$900.

Married at High Noon.

The marriage of Miss Minnah Hawke to Mr. Charles F. Scovill of Chicago took place at the residence of the bride's sister, Mrs. W. S. Rector, 2117 Wirt street, at high noon yesterday.

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DRESS GINGHAMS

50c

Regular 10c goods.

60-inch All Wool Blue Sackings.

50c Value 65c.

Good China Silks,

51 1/2c Value 35c.

All Wool Spring Chevots,

39c Value 50c and 60c.

Heavy Bleached Towels

12 1/2c sizes 23x44, Value 17c.

Ladies' Fast Black Hose

5c Value 15c.

Ladies' Muslin Gowns, Drawers and Corsets

Covers, nicely trimmed,

47c Value 65c.

MANHOOD RESTORED "CUPIDINE" This Great Vegetable Compound... CUPIDINE cleanses the liver, the kidneys and the urinary organs of all impurities.

POWER FROM GASOLINE DIRECT FROM THE TANK. CHEAPER THAN STEAM. BEST POWER FOR CARS, TRUCKS, Baling Hay, Running Separators, Creameries, etc.

"A TRAINING IN CLEANLINESS IS A FORTUNE." COMPLETE YOUR EDUCATION WITH SAPOLIO

DOCTOR SEARLES & SEARLES, SPECIALISTS CURE CHRONIC, NERVOUS AND PRIVATE DISEASES

JAPANESE PILE CURE A New and Complete Treatment, consisting of... Dr. Searles and Searles, 118 South 13th St., Omaha, Nebraska.