

### Court Orders City to Levy Taxes for Hydrant Use Here

Decision Will Eliminate Need of Increasing Rates, Says Leisen; Pleased by Outcome.

Lincoln, Nov. 20.—Omaha property owners shall be taxed for the support of the Metropolitan Utilities district, the state supreme court decided in an opinion handed down here today.

The decision upholds the writ of mandamus issued by the district court of Douglas county, ordering the city to levy a tax to be turned over to the Utilities district for fire hydrant rentals. The city of Omaha had appealed from the district court's order.

General Manager Theodore Leisen of the Metropolitan Utilities district was pleased Thursday morning when he was informed by The Omaha Bee of the decision of the state supreme court upholding the decision of the district court in approving the present system of levying a tax against property for the payment of hydrant service.

Practice for Years. It has long been the practice of the city council to include in the annual tax levy an amount sufficient to pay for fire hydrants, the present basis being 3,600 hydrants at \$60 each per year, this being paid by the municipal corporation to the Metropolitan Utilities district.

The constitutionality of this method was brought into question, with the result that a friendly suit was started in district court where the utilities district was upheld and the state supreme court now places its stamp of approval on the law on which the city is operating with respect to hydrants.

Two Methods Only. "There are two methods of paying for hydrant service," said Leisen. "One is to assess property through the tax levy, as is now being done. The other is to increase the water rates. We must bear in mind that nearly 50 per cent of the investment of the water plant in pumping and distribution facilities is necessitated on account of being ready to furnish fire protection at any time."

"If we should add this hydrant rental charge to the water rates one can readily realize how a nonresident owner of property would enjoy valuable fire protection and not contribute to its cost. Under the present system he pays a share through his realty tax."

Legion Elects Officers. Battle Creek, Nov. 20.—Battle Creek post No. 75, American Legion, elected the following officers: Commander, George A. Fuerst; first vice commander, Leo Werner; second vice commander, Brian Flood; adjutant, Carl Werner; finance officer, H. W. Wisenstein. A membership drive will be made with a view to getting every ex-soldier to join. The post has also started a campaign to raise money for a community building.

Verdon Postmistress Weds. Falls City, Nov. 20.—Miss Inez May Griffith, postmistress of Verdon, was married to Charles Leonard Smith in the Congressional parsonage at Verdon Wednesday. Mrs. Smith will retain her position as postmistress.

### Skunk Oil, Scare for Patient Given as Cures for Hiccough Epidemic

Keep a steady nerve, is the advice of Dr. A. S. Pinto, health commissioner. The doctor explains that the particular type of influenza prevalent this season affects the nerves. He also believes the few cases of hiccoughs reported are due to this form of influenza.

Pinto explained that hiccoughs is a nervous phenomenon. Milwaukee and St. Paul report an unusual number of cases of hiccoughs.

Citizens are reporting various hiccough cures to the health commissioner. An elderly woman Thursday morning telephoned to state that once her husband suffered from hiccoughs

for a week and she cured him by rubbing skunk oil under his right nostril. Another reported that by placing the fingers in the collar bone the patient will cease hiccoughing. Scaring the patient will stop hiccoughs, another reported. A young woman said she cured her father unwittingly when she placed a can of tomatoes on a stove to heat, failed to open the can which exploded and the scare cured the hiccoughs immediately.

Dr. Pinto is interested in knowing of the various methods used by Omahans in curing hiccoughs. This affliction is not reportable to the health department, according to the health laws.

### DRUNK 3 TIMES IN AS MANY DAYS

For the third time in three days, Barney Lloyd was found guilty of drunkenness in South Omaha police court Thursday morning. Lloyd has not been sober enough to give his address to police, officers say. He was released on the first offense, fined \$10 for the second, and sentenced to four days in jail Thursday.

### Wife Tires of Supporting Husband; Seeks Divorce

Charging error in the court's instructions to the jury, the city of Omaha moved for new trial in the suit of John Rose Snyder against the metropolis. Snyder was awarded \$750 by a jury Wednesday. He charged that the city was negligent in failure to place a warning light on an embankment at Fifteenth and Pine streets. Snyder drove his car off the bank last February.

### Candidate Gets Office Though Beaten at Polls

Falls City, Nov. 20.—Bayard T. Clark was beaten by John D. Spragins, civil war veteran, at the recent election for justice of the peace, but he gets office nevertheless. District Judge A. E. Raper has ruled that Falls City is entitled to two justices and that Clark is entitled to a certificate of election.

### Fire Destroys Farm Home.

Falls City, Nov. 20.—The farm home of Andy Burgner, six miles southwest of here, was burned Wednesday with a loss of \$2,500.

### MEDICAL ARTS CASE ARGUED

Attorneys began their arguments before Judge Hastings Thursday morning in the suit of creditors of the Medical Arts Building association for payment. The future of the great steel skeleton probably will be decided within two weeks.

### Supervisors Make Survey of Proposed Ditch Site

Columbus, Nov. 20.—Platte and Colfax county supervisors took an official walk, five miles long, to make a preliminary survey of the proposed site of the two county drainage ditches, prospective construction of which has been protested by farmers who would be benefited but fear the expense. The ditch would carry to the Platte river back waters of spring rains whose overflow is prevented by Lincoln highway grades.

### Father Sued by Sons.

Columbus, Nov. 20.—Children of William Lemmerman, Creston, Neb., filed suit here to recover \$1,324.60 which they claim they advanced the father to pay for the home he owns. They claim that when they advanced the money a stipulation was made that they should be reimbursed.

### OSTEOPATHY

Removes All Kinds of Bodily Troubles

### Judge Election Contested in Eighth District

Ballot Thrown Out When Voters Write in Name and Forget Cross; Re-count Ordered.

Special Dispatch to The Omaha Bee. Ponca, Neb., Nov. 20.—A recount of the votes cast for judge of the Eighth judicial district, consisting of Dixon, Cedar, Thurston and Dakota counties, may be demanded to settle the question as to who has been elected on account of the discovery that several hundred votes were thrown out by the counting boards because many voters failed to put a cross in the square after writing in the name of the candidate.

In Dixon county alone it is estimated that between 400 and 500 votes for C. A. Kingsbury of Ponca, were not counted because the cross was not placed in front of his name. About 190 such votes were thrown out at Wakefield, over 40 at Waterbury, over 50 at Newcastle, over 100 at Ponca and a considerable number in every other voting precinct in Dixon county. Regardless of any desire to see C. A. Kingsbury, the candidate from Dixon county, elected, the counting boards of this county adhered strictly to the letter of the law and threw out these ballots. So far as can be learned very few of these ballots were thrown out in the other counties, about 50 for Mark Ryan of Pender, being thrown out at Pender and about the same number for S. T. Frum of South Sioux City, were not counted at Emerson.

The legal inference is that no name having been printed on the ballot for district judge, when the voter writes on the ballot the name of his choice but fails to make the cross, the intention of the voter is made plain and such ballot should be counted. In case such ballots were counted in Cedar county which Ryan carried by 685, and unmarked ballots not counted in the other three counties, it would make a material change in the total votes of the candidates.

### ANCIENT CHURCH AT HARTINGTON SOLD

Hartington, Nov. 20.—One of the most attractive and hallowed landmarks of this city passed into private hands when A. A. Lammers purchased the Grace Episcopal church property.

The church, was organized here as a mission in 1890, under authority of the late Bishop Worthington, and the first rector was Rev. Mr. Morrow. It was established principally through the efforts of R. A. Brown, and the church was named at the time in honor of his deceased wife. Many of the city's oldest and most influential families were members of Grace church and its pulpit has been filled by some of the ablest churchmen in the west, including Rev. James Wise, now bishop of Kansas.

Rev. J. E. Leads, the second minister of the church, was a member of an old English family and inherited a dukedom. He returned to England, only to renounce his title and fortune and come back here, where he took charge of a mission in Kansas, where he died in the service of the church.

Columbus—Under direction of the Junior Red Cross and Platte county school teachers, 124 Christmas boxes for children in foreign lands are ready for shipment.

### Officers Question Suspect in State Bank Failure Case

Frank Archer Implicated in Nickerson Institution Investigation by Endorsed Check and Auto Deal.

Special Dispatch to The Omaha Bee. Fremont, Neb., Nov. 20.—Frank Archer, 37, returned to Dodge county from St. Joseph, Mo., for investigation in connection with the reported robbery of the First Bank of Nickerson about one year ago, was questioned today by various officials from points in Iowa and Nebraska. Archer, accused of participation in various deals, denied every allegation.

Sheriff Condit and Deputy Henson brought Archer back to Fremont after a hurried trip by car. His arrest followed discovery of a check in the records of the Nickerson bank alleged to have been endorsed by Archer and made payable to him. The check had been placed to the credit of one of the former officials of the bank. It was issued by a garage man at Creston, Ia., as the difference in cost of an automobile and a \$1,000 liberty bond which Archer is alleged to have tendered in purchasing the car. This is the transaction under suspicion.

Deputy Hiram Yackey of Red Oak, Ia., questioned Archer in regard to a forgery which the latter denied implication. Dave Dickenson, secret service operative of Omaha, the Platte county attorney from Columbus and Sheriff Art Baker of Red Oak, also quizzed Archer in connection with other charges.

The investigation will be continued with Archer being held at the Dodge county jail.

### Mrs. Tumulty Recovering.

Rochester, Minn., Nov. 20.—Mrs. Joseph Tumulty, wife of the former private secretary to the late President Wilson, underwent an operation at the Mayo clinic. Physicians declared her condition was favorable.

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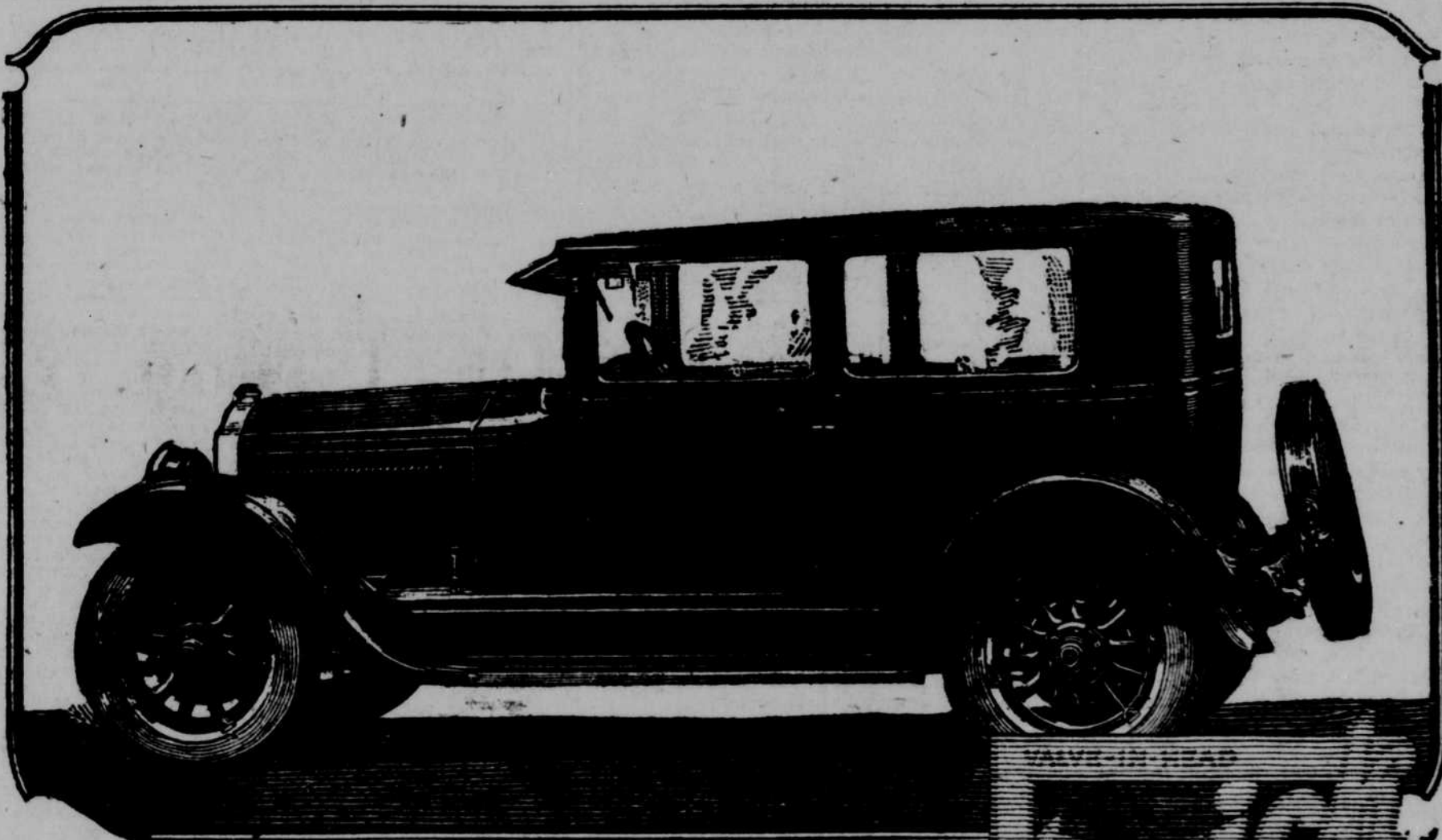
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