

AN INJUNCTION IS ISSUED

AGAINST COUNCIL AND MAYOR
ON DEPOT ORDINANCE.

TO PREVENT PASSING LAW

An injunction has been granted upon a petition signed by Norfolk people, restraining Mayor and Council from vacating Avenue.

An injunction against the members of the city council and Mayor Friday restraining them from passing the ordinance to vacate Philip avenue was granted by County Judge Bates at Madison yesterday afternoon. The injunction was granted upon a petition signed by Mike Enders, Herman Reikofski, F. L. Estabrook, W. W. Roberts and Peter Barnes, all citizens living in the vicinity of the Philip avenue crossing of the Northwestern. A \$2,000 bond signed by Herman A. Pasewalk, Peter F. Bell and William R. Hoffman was given to the judge to cover any possible damages that might be incurred by the working of the injunction. The attorneys for the objectors were Judge Isaac Powers and Allen & Reed of Madison.

The arguments, which have been brought to bear against the closing of Philip avenue are all included in the petition for the injunction, which covers nine typewritten pages. It takes up each detail in complaint and dwells principally on the amount of use, which is made of the street, and decries that the council has any right to close the street for the purpose of erecting a depot on it.

The principal arguments in the case are as follows:

"Philip avenue is an extensive and main thoroughfare of the city and is constantly used by the citizens and people of the city, and there is situated on it four of the principal churches of the city and a high school building, which are attended and visited by several hundred people living in the city."

"By vacating and closing that part of Philip avenue it would greatly and permanently injure and depreciate the value of real estate on Philip avenue to the full extent of twenty per cent of its present value. The council have made no provision for the payment of damages that would be sustained by the closing of the avenue and do not prepare to do so."

"There is no necessity for the vacating of the street. The Chicago & Northwestern is not in need of the part proposed to be vacated as it already owns a tract adjacent to the street that is sufficiently large for a depot. The object and purpose of the council in passing the ordinance is to enable the railroad company to avoid the necessity of cutting the trains in two at the avenue and to abandon the maintenance of a flagman or watchman at the crossing."

"If the avenue is closed the school children will be deprived of a direct and easy way to reach school and their lives will be greatly endangered in crossing the tracks at Philip avenue with the depot at that point."

"A large number of property owners have urgently remonstrated with the council against the passage of the ordinance and, if permitted to express their wishes a majority of the citizens would oppose it."

"The mayor and council intend to pass the ordinance without its being read on three separate days as required by law and without giving the citizens any opportunity to appear and oppose it."

Notice to Land Seekers.

A large tract of valuable agricultural land is to be thrown open for settlement on March 20, 1906. This land has been in litigation for twelve years and on the twentieth of January the United States land office handed down an opinion which will open this land for settlement on the 20th of March.

The tract consists of about 66,000 acres of fine agricultural land in North Dakota, or about 400 homesteads. This is a very fine tract of land and is worth, at the present time, from \$3,000 to \$4,000 per homestead.

It is valuable wheat land with an immense deposit of lignite coal underlying it. A special excursion for March 20 is being arranged to take a party of people up to see this land and will be in charge of an agent of the Illinois Central railroad company. It is a chance of a life time to get a good quarter section of farm land and a coal mine for the asking.

In order to avoid a rush the facts are not made public at this time but full information can be had by applying at the Illinois Central city ticket office, 1402 Farnam St., or addressing Samuel North, District Passenger Agent, Omaha, Neb.

CONDUCTOR ATTACKS EDITOR.

C. H. Lyman of Long Pine Journal Refuses to Retract Story.

Refusing to apologize in his publication last week for the account of an alleged wife-beating case, which appeared in the Long Pine Journal the week previous, C. H. Lyman, the editor, was Saturday assaulted in his office by A. G. Bronson, a conductor on the Northwestern railway, who also resides there.

Week before last the Journal published a story about the disappearance of Mrs. Bronson, who left home while her husband was out on his run, telling some friends before her departure that her husband had formed

the disagreeable habit of beating her, and she consequently decided to leave him and reside with relatives in Chicago. The Journal further suggested that Bronson should be ridden out of town on a rail for his mistreatment of his newly-wedded bride, but stated that if it had been misinformed, which it did not think it had been, the editor would gladly make public apology to Mr. Bronson.

Bronson, after the appearance of the article, did demand an apology, stating that it was all untrue. The editor, however, investigated further and decided that he had set forth the facts in the case and that no apology was due Mr. Bronson. Saturday, after the paper had been printed, Bronson, finding no apology in its columns, proceeded to the Journal office and is alleged to have fearfully beaten Mr. Lyman, although no third party witnessed the engagement. Last night, the latter has a fearfully cut eye and a badly bitten finger as a result of the encounter.

Charges were immediately preferred against Bronson for assault with intent to kill. The case was tried Saturday in Justice DeLand's court, who bound the defendant over to the district court in the sum of \$500.

See F. G. Coryell for insurance.

URGE NEWCASTLE LINE

CITIZENS OF NIOBRARA WANT
ANOTHER RAILROAD IN.

CITIZENS' MEETING IS HELD

Mayor George Bayha of Niobrara Has
Appointed a Committee of Citizens
in the Knox County Town to Actively Urge That Road be Built.

Niobrara, Neb., March 5.—Mayor Bayha has taken active interest in the movement to urge the extension of the Newcastle branch of the Chicago, St. Paul, Minneapolis and Omaha line to Niobrara.

A meeting of business men and property owners was held upon the call of the mayor for the purpose of arriving at a proper organization to co-operate with the Knox County Farmers' Produce organization and the towns of Bloomfield and Hartington. Petitions have been circulated and generally signed all along the proposed route. E. A. Fry, who has interests at Niobrara but for the past two years has been running a newspaper at Lake Andes, S. D., read a letter from E. H. Beckler, who had charge of the construction of the Bonesteele line for Minston Bros. Co., in which he said:

"Don't advocate more railroads to go through your city. Try to work up a scheme that will make the name 'Niobrara Junction.' Sioux City does not like to have the territory northwest of you on a direct line to Omaha."

Mr. Fry also read a letter from Geo. Perkins, in which he said in connection with the foregoing:

"If the project of which you have had intimation should come into the open it might be well to give special attention to the Elkhorn sentiment, in connection, possibly, with some plan that might meet the approval of business interests represented here."

These letters created considerable enthusiasm among the business men and gave more confidence to the effort on the part of the Farmers' Produce organization, which is a corporation of farmers at Crofton who ship by boat at Herkirk landing during navigation.

Capt. Joseph Leach has been overhauling the steamer F. Y. Batchelor at Running Water this winter for the trade along the Missouri river isolated from railroad connections. These shipments are made in connection with the Chicago, Milwaukee and St. Paul. A large elevator has just been erected at Running Water, and another is to follow at once for this trade.

The extension of the Newcastle branch would pass through a rich country, over a route long contemplated by Sioux City. A grade was made as far as the Bow valley by a Sioux City enterprise as early as 1875 for the old Covington, Columbus and Black Hills line, now owned by the Newcastle line. The profiles of the Sioux City-Northwestern are also passed through the town of Crofton, and were used in the construction of the Bonesteele line from Niobrara. The distance from Sioux City to Niobrara, where the junction with the Northwestern would be made, is 105 miles.

In three years more the Santa Fe will have earned patents to their lands, and a reservation will no longer be a barrier to railroad construction. A large portion of this land has already been disposed of as heirs' land is settled upon by a thrifty class of farmers, most of which is along the route that would be taken by the extension of the Newcastle branch.

Farmers bring in your repair work for spring. I will save you 20% as I have the time and am prepared to do the work. Paul Nordwig.

If you want to buy land in South Dakota it will pay you to call on F. G. Coryell, Norfolk, Neb.

Fifteenth Birthday.

Yesterday was the fifteenth birthday of Earl Linde and fourteen young boy friends were invited in to help celebrate the occasion and to enjoy his birthday dinner.

HOGS GO TO \$6.30 TODAY

HIGHEST PRICES YET REACHED THIS WINTER.

THE BULK RULES \$6.20 TO \$6.30

Highest Prices of the Year Were Attained This Morning on the South Omaha Markets—Higher Than Other Tops by Ten Cents.

South Omaha, Neb., March 5.—Special to The News: The pork market took its weekly leap upward this morning and struck a point higher, by ten cents, than the highest point yet reached this winter. The best hogs went today at \$6.30, while the lowest of the average sales was \$6.20, the bulk ranging from \$6.20 to \$6.25.

There were 3,000 hogs on the market. At Chicago there were 32,000 on the market and the prices ranged ten cents higher than Saturday.

TUESDAY TOPICS.

George E. Taylor of Pierce spent last night in the city.

J. H. Farlin of Madison was in the city last evening on business.

Thomas Rawlings of Wakefield stopped over night in the city.

Miss Irene Juneman of Madison was shopping in the city yesterday.

W. T. P. Mohr came down from Spencer on business this morning.

J. J. Veasey and Thomas J. Veasey of Prague are in the city on business. Mrs. Von Rahden of Creighton came down this morning to do some shopping.

William Krotter and George C. Krotter came down from Stuart this morning on business.

Miss Serele Small of Omaha is visiting with her mother and will remain for several weeks.

Miss Clarice Hindman came down from Niobrara this morning to visit with Miss Mino McNeely.

Mrs. J. Harvey Foote and children arrived from Blair yesterday and will make their home with Mr. Foote at the Pacific hotel.

John Ohm returned to work this morning as his injured knee has so far recovered as to permit of his moving freely about.

Arthur Golson of Osmond stopped over Sunday night with R. B. Severs and enroute to Atlantic, Iowa, where he will visit with his father who is seriously ill.

G. F. Durland stopped over in Norfolk Saturday night and Sunday on his way home to Plainview from Newport, where he was stalled by the storm for over a day.

Miss Elizabeth Worden went to Sioux City today to spend a few days before returning to her home in Rockford, Ill. She has been visiting here with Miss Katherine Shaw.

Mr. and Mrs. Sam Thinsley and Miss Hoerger came down from Spencer Monday morning to make their permanent home in Norfolk. They will make their home at the corner of Eighth and Philip avenue.

Miss Eva Carpenter is at home visiting her parents. She is enjoying a month's vacation from her school at Plainview. Miss Carpenter teaches the largest school in the country around Plainview and enjoys the work.

The Wednesday club will meet with Mrs. Greene tomorrow afternoon at 2:30 sharp.

Elkhorn Encampment, I. O. O. F. No. 27 will meet Tuesday evening for work in the Royal Purple.

C. H. Vail and Mr. and Mrs. O. P. Schoff have gone to Omaha to purchase new furniture and furnishings for the Oxnard hotel.

The condition of Mrs. Ueckerman, who was operated upon several days ago, is quite serious although no great fears are felt for her recovery.

Mrs. George D. Butterfield was witness today at a 1 o'clock luncheon, given in honor of Mrs. Swarthout and Mrs. Grey, who are guests of Mrs. W. H. Butterfield.

Mrs. S. M. Rosenthal underwent a surgical operation yesterday and is very critically ill today. Every attention possible is being given to the patient, and every effort to bring about her speedy recovery.

Glen Emery, the 8-year-old son of W. A. Emery, is confined to his home with a badly bruised head, which he received in a fall while climbing on a high chair at home Saturday noon. The bruises are not considered serious although they are causing him severe headaches.

Because of the serious illness of her mother at Ironwood, Mich., Mrs. J. H. Brown left at noon for that place. She received a telegram last night advising her of the serious condition of her mother. She was accompanied to Michigan at noon today by her son, Frank.

Mrs. C. R. Haggard of Sioux City arrives today for a few days' visit in Norfolk. During her stay in the city, Mrs. Haggard will be a guest at the home of Mrs. D. Mathewson instead of Mrs. J. S. Mathewson, as was announced. Mrs. Haggard is on the Wednesday club program for tomorrow with a paper. On Thursday noon she will be the guest of honor at a luncheon which is to be given by Mrs. J. S. Mathewson.

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STORM IS ALL OVER NOW

TRAVELING MEN TELL HOW THEY WERE SNOWBOUND.

WERE IN ONE SPOT 36 HOURS

The Snow Drifts in Cuts Were so Deep That Bruno Hansen Mashed His Hat Against Semaphore Signal. —Lived on Pork and Raw Potatoes.

The effects of the snowstorm which came over the northwest last week, have all been overcome and train service has been restored to normal running. The greatest difficulty experienced was with wires that went down, making it difficult to send trains out into the storm for fear of accidents. The storm is said at Northwestern headquarters to have been not an extraordinary one for this time of the year. Drifts were about six feet deep. Passengers on the trains which were snowbound were all within easy reach of farms or towns, and they were all well provided for in the way of food during the storm. Most of the passengers remained in the coaches until the trains moved again. The train from the Black Hills due here Friday came Saturday, as did also the Saturday train. This, however, was held till yesterday and two big trains went east Sunday. Other trains are now on time.

From Passengers' Viewpoint.

According to a commercial traveler, the Black Hills train that was stalled near Johnstown in the snow drifts had a party of five Norfolk men on it, who subsisted entirely on pickled pork for thirty-six hours. They were Bruno Hansen, Ed Ingalls, Herman Snider, Hans Dahl and Mr. Brown. They were eight miles from Johnstown and there was little on the train for the passengers to eat, so they dined out through the snowdrifts to the few farm houses in the vicinity and secured what they could. All they could find where they went was pickled pork and raw potatoes but the latter proved of no avail as there was no way of cooking them on the train. The snow was so deep that they had to struggle through snow above their waists to get to the farmhouse. Where the semaphore signal stood beside the track the snow was so deep that Bruno Hansen broke his hat on the arm of the signal, as he passed under it. The train was held at this point for thirty-six hours before it was possible to release it. Another Black Hills train was held up near Rapid City but managed to get out of the snow in less time than the one at Johnstown.

All along the line there was a heavy snow and in the cuts great holes had to be made through the snow. In some of the cuts the snow was so deep that it brushed along the tops of the ears as they passed through. North of Niobrara conditions were a great deal the same as they were on the main line and many of the cuts were filled to the top with snow, through which the engines were forced to cut their way.

MONDAY MENTION.

R. E. Dutcher of Plainview was in the city Sunday.

Charles Herschhoff of Hadar is in the city on business.

F. C. Marshall of Center was in the city on business Saturday.

A. H. Corbett of Madison stopped over Sunday night in the city.

Orion Porter came down from Fairfax this morning on business.

Mrs. I. M. Macy spent Sunday in Tilden with Mrs. S. Kierstead.

Miss Josephine Durland has gone to St. Joseph, Missouri, to buy her spring stock.

Jake Penholow of Newman Grove and a cousin from Iowa are visiting friends and relatives in the city.

Mrs. C. E. Stitt returned home Saturday evening from Burlington, Iowa, where she has been visiting for the past five weeks.

Will Hahn spent Sunday with friends in Stanton.

Emil Schultz of Hadar was in the city on business today.

Burt Kummer went to Omaha Sunday to visit with friends.

Mr. and Mrs. John Luders of Hoskins are in the city on business.

Eugene E. Harper has taken position as attendant at the hospital.

Miss Mamie Morgan of Humphrey is visiting with the family of H. E. Hardy.

H. E. Owen visited over Sunday with his family and returned to Omaha.

Chris Severin of Woodlake visited the latter part of the week with his aunt, Mrs. John Hulff.

Mrs. C. R. Haggard of Sioux City is expected this week for a visit at the home of Mr. and Mrs. J. S. Mathewson.

Dr