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"FIXING" THE CITY CHARTER

The Committee Allow the Railroad Tax Question to Go Unchanged.

OMAHA AND THE CULLOM BILL

A Coasting Carnival—General Brisbin's Affliction—Father and Son—The Swedes Awakening Other Local Notes.

The Charter Committee.

Messrs. Barton, Bailey, Chase, Dailey, Evans, Clarke, Martin, Meyer, Murphy, Lee, Lowry, Rosewater and Poppleton were present at the meeting of the charter committee at the board of trade rooms yesterday afternoon. In addition to the members of the committee there were present City Attorney Connell, Hon. George W. Linninger, Hon. C. J. Smythe, Hon. David Knox, ex-Representative Windspear, Louis Heimrod and Councilman Manville. The town meeting prohesied a few days ago by Mr. Poppleton in case of a postponement of the question of taxing railroads for city purposes failed to materialize.

Chairman Barton called up section 25 of the old charter relative to the council's power to levy taxes, which had been made a special order for yesterday's meeting. In presenting his amendment to the section providing that all railway property shall be taxed for muniripal purposes the same as other property City Attorney Connell offered the following opinion of Judge Wakely, which was rendered yesterday morning in the case of the Union Pacific vs the City of Omaha, showing that under the presenf charter the city has no power to assess railway property except for state and county purposes:

By a fair and reasonable construction of the statutes, the property of the railroad company included in the assessment by the state officers under sections 39 and 40, revenue law, can be assessed for city purposes only as personal property and upon the valuation per mile of the road as an entirety. But, under the present law, this does not apply to machine and repair shops and other property specifically enumerated in the provision of section 39.

The authority conferred on the mayor and council by section 25 of the city charter, to levy and collect "taxes on all the real estate and personal property within the corporate limits of the city taxable according to the laws of the state," does not authorize the taxation of railroad property in any manner or by any other rule of valuation for city purposes than for county and state purposes. So much of it as is "taxable according to the laws of the state," as personal property at so much per mile, must be taxed for city purposes. No other method of assessmnent or valuation is provided for or contemplated.

Whether or not a different rule of taxation ought to be required for city or local purposes is for the legislature—not the courts—to determine.

The petition shows plaintiff's property belongs to the class taxable only in a special manner movided by statute, and the demurrer must be overruled.

Mr. Connell said that the plan proposed by the amendment could not be reasonably objected to. All that the amendment implied was that the railway company's property should be taxed the same as the property of private citizens.

Mr. Lee asked what personal tax the railroad companies pay in Omaha.

Mr. Connell replied that they did not pay anything worth mentioning.

"Why is it that you all insist upon coming here armed with untruths?" roared Mr. Poppleton. "The Union Pacific pays at least $20,000 a year on personal property."

Mr. Connell—"I never denied that."

Mr. Poppleton—"You did, and now you come here and try to back out of it because Judge Wakely rebuked you."

Mr. Connell—"You know you state what is not true, Mr. Poppleton, when you say that Judge Wakeley rebuked me. You come in here and turn red in the face in the heat of your defense of the corporation that you represent. The authority I present is in black and white and in it you can see whether Judge Wakeley rebuked me or not. There is no occasion for your tearing a passion to tatters in this way."

Blows between the two legal luminaries was prevented by Councilman Lee, who wanted the lawyers and editors shut off from debate in order that the common herd might have a chance.

Chairman Barton decided that there were no newspaper men or lawyers on hand. All of the gentlemen were members of the committee and had equal rights.

Mr. E. Rosewater stated that the railroads practically pay no takes on their realty. The system is taxed as a whole, but there is no definite way of ascertaining just what part of the corporation's property is in the city's limits. It is known what mileage the county contains, but there is no way of telling what is in the corporation limits of the city. The Omaha & Republican Valley railway company has only a little more than a mile of road in Douglas county on which it pays taxes, yet that company operates a line of road to Omaha, and owns a large amount of real estate in Omaha that bears no part of the city's tax burden. This is only a sample of the whole system of railroad taxation. It is unjust that the railroad lots should be put in the lump and assessed for the equal benefit of all the counties through which the road runs and thus escape the taxation of the city whose improvements, made at public expense, make the property valuable.

After a great deal of discussion, in which Colonel Chase offered seven reasons why the amendment should not be adopted a vote was taken. The section was adopted, as in the old charter, Mr. Connell's amendment being lost by the following vote: Ayes—Barton, Lowry, Dailey, Chase, Poppleton, Murphy and Evans. Nays—Bailey, Lee, Rosewater and Clark.

Old section 44, authorizing the council to award grading contracts to the lowest bidder was then called up. Mr. Windspear's substitute was offered providing that all street grading, curbing and guttering and macadamizing shall be done by day labor under the direction of the board of public works and the city council, and that all paving and sewering shall be done by day labor or by contract as the city council and the board of public works may direct.

Mr. Dailey thought that the property owners should be allowed to determine how the work should be done and Mr. Bailey moved that two-thirds of the property owners on any street should have the right to decide in what manner public improvements should be made.

After considerable discussion the following section was adopted:

"All grading, paving, macadamizing or guttering of any streets, avenues or alleys in the city for which, or any part thereof, a special tax shall be levied, shall be done by contract with the lowest responsible bidder. Provided, that when owners representing three-fifths of the property upon the line of the proposed improvement so petition the work shall be done by day labor."

The committee then adjourned to meet at 2 o'clock on Monday to complete their labors.

General Brock returned last night from his two weeks' visit in Texas.

NO ACTION TAKEN.

Omaha Business Men Fail to Denounce the Cullom Bill.

Yesterday morning the sixteen members of the board of trade and freight bureau, met in the board of trade rooms to discuss the Cullom bill, now pending in the senate providing for a regulation of interstate railway traffic. Owing to some mistakes in sending out notices, the attendance was not as large as it should have been. Mr. W. F. Griffitts, the freight commissioner presided, while T. H. Taylor was chosen to act as secretary. Speeches were made by Robert Easson and Ben Gallagher, denouncing the bill as mimical to the interests of Omaha and other western cities, because in establishing a system of pro rata charges, the rate for a long haul, say from New York to Omaha, would become exorbitant. Their objections were cleared away by Mr. E. Rosewater in a short speech in which he explained that the bill did not provide for pro rata charges as many supposed, but simply prohibits a greater charge for a short haul than for a long one, "under similar conditions," giving the commission power to waive the operation of the law as the occasion requires. Mr. Rosewater said that he thought all the agitation against the bill and the calling of the board of trade meetings to publicly denounce it was the work of the railroad companies who were readily opposed to the measure.

After some further discussion the meeting adjourned, sine die, without taking any action in the matter.

FATHER AND SON.

They Come Together and Exchange Tears Over the Meeting.

An interesting episode took place in Postmaster Coutant's office yesterday morning. A son and father by a little stratagem were brought together and both shed tears over the meeting. The father had been written to by his boy, who was in Kansas City, to the effect that if the former sent him money he would go home for the Christmas dinner. The father sent the money, and all the other children were collected from abroad for a grand family dinner. Shortly before Christmas the son telegraphed again that he was in Council Bluffs and had spent the money sent. The announcement almost broke the father's and mother's heart. The former resolved to come out and find his wandering boy. He learned that the young man had ordered his letters to this side; that he had received some letters here, and then ordered them to be forwarded to the Bluffs. This order he countermanded and authorized them to remain here. The father followed him from the Bluffs, here, arriving yesterday. He saw Mr. Coutant, a decoy letter was addressed to the young man and as a consequence, this morning, both son and father were brought together. Both shed tears, one of joy, the other of repentance. They journeyed home yesterday afternoon, but Postmaster Coutant will not give their names.

A COASTING CARNIVAL.

Omaha People are Invited to Plattsmouth.

George Kay yesterday received a telegram from J. L. Miner, of Plattsmouth, stating that a coasting carnival would be held in that city to-night, and inviting the coasters and tobbogganers of Omaha to attend. It is probable that a number of people from this city will go down with sleds, traverses and tobogganns. At the last carnival in that city the Omaha people were enthusiastically received and handsomely treated by the Plattsmouth people. This fact will probable induce the Omaha coasters to attend to carnival to-night in larger numbers than last year.

Among the traverses which are already booked to make the snow fly on the Plattsmouth hill are the "Lurline," owned by W. S. Helphrey, and the "Maud S," owned by George Kay. Other parties desiring to attend are requestsd to leave their name at Collins, Gordon & Kay's store before 10 o'clock this morning. If a party of twenty-five can be guaranteed a special rate of $1 for the round trip can be secured. The trains on the B. & M. leaves to-morrow night at 6 p.m. and 6:30 p.m.

Machine.

THE WHITE for 1887 has been changed in many ways. The cylinder shuttle, and improved bobbin can not be surpassed. We are ready to ship after January 1st., with former terms.

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Omaha Neb.

General Brisbin's Affliction.

The people of Nebraska will sympathize with General Brisbin in the affliction which has fallen upon his family. "Three weeks ago," says the Nebraska Crescent, "General Brisbin's little daughter, Katie, was taken down sick, and we learn her sickness has developed into scarlet fever. On learning from the post surgeon, Dr. Reed, the nature of the disease, General Brisbin promptly quarantined his house and turned over the command of the post to Captain Parker that he might avoid the spread of the disease and devote himself to his sick child. The family is completely secluded and see no one but the doctor. The following is the order placing the house of the post commander in quarantine. We sincerely hope the trouble will soon be over and no new cases of the disease develop.

FORT ROBINSON, Neb., Dec. 12, 1886.—Order No. 289.—[Extract.]—I, the post surgeon, having reported a case of scarlet fever in the house of the commanding officer, the house and its inmates are hereby placed in quarantine during the dangerous period. Until the disease in the family passes, the commanding officer temporarily turns over the command of the post to Captain Charles Parker, Ninth cavalry. By order of

LIEUTENANT-COLONEL BRISBIN,
[Signed.] Commander.
E. S. WRIGHT, 2d Lieutenant 9th Cavalry, Acting Post Adjutant.

We learn with sorrow that two more of the general's children, Blanche and John, are down with the fever, and also a colored servant girl."

The members of the Irish National league are requested to meet at Cunningham's hall Sunday afternoon, January 2, at 3 o'clock. Business of importance will be presented to the meeting, and members are urged to be present.

JOHN A. MCSHANE, President.

The Little Maids Made Males.

One of the cutest souvenirs issued this year is that by Baureis, Puls and Schmitz, the comedians of the German company at the Boyd. It consists of a cabinet photograph in Heyn's best style, introducing each of the gentlemen in costume peculiar to the never-to-be-forgotten "Three Little Maids from School" from the "Mikado." Each of these gentlemen strikes an attitude peculiar to one of the little maids, and with smirks and smiles a captivating as those of the well known daisies. It will be appreciated and is intended for each of the season ticket holders at the German theater.

Merchants Hotel, Omaha, Nat Brown, Prop. $2 per day. Cor. 15th and Farnam. All street cars from depot pass house.

Improving the Track.

The bicycle track in the exposition building is being enlarged at both ends. The raised platforms are being extended further back than they were formerly, thus allowing the riders a chance to ride faster around the corners. At the same time this will not make the track any longer than it is at present, as the pole will be changed to correspond with the enlarged width of the platforms. Prince says that he thinks this change will make a difference of about ten seconds in a mile, inasmuch as it will enable the riders to pass the corners with a greater freedom and without danger of falling off.

Real Estate Transfers

Filed December 30, 1886, reported for the BEE.

Charles Miliani to Emma L Gill, undivided ⅓ interest in lots 8, 9 and 10, in McEntees' add, w d—$4,000.

W E Drury and others to Harry C Moody, lot 3, block 7, Plainview, w d—$750.

W E Drury and others to Fred B Ketcham, lot 2, block 7, Plainview, w d—$750.

W E Drury and others to James Brown, lot 4, block 7, Plainview, w d—$750.

J R Harris to the public, plat of Harris & Patterson's annex, subdivision of east ½ of se¼ of se¼, sec 9, 14, 13—dedication.

James Millar to Charles J Roberts, lot 8, in Pelham Place, w d—$900.

Larmon P Pruyn and wife to Edwin M Park, lot 92, Fairmont Place, w d—$2,300.

George W Ames and wife to George Brady, lot 12, block 1, Hillsdale, w d—$200.

Albert G Clark to J V H Clark, west ½ of sw¼, sec 28, 15, 13, w d—$2,800.

Charles McCormick to Owen B Legg, lot 13, block 4, McCormick's 2d add, w d—$450.

Mary E Coy to Lillian W Haide, lot 3, block 55, South Omaha, w d—$750.

Henry B St John and others to Albert D Hughes, lot 18, block 1, Exchange Place, w d—$750.

James F Nolan to Albert D Hughes, lot 3, block 6, Kirkwood, w d—$750.

William J Wagoner and others to J B Evans and others, lot 15, block 1, Fowler Place, w d—$750.

George L Swartz and wife to Mary B Evans, lot 8, block 6, Omaha View, w d—$1,000.

Charles McCormick to John Hochstrasser, lot 3, block 2, McCormick's 2d add, w d—$600.

A J Hanscom and wife to Henry O Devries and others, lot 14, block 20, Hanscom Place, w d—$550.

Henry T Pratt to C J Caswell, lot 15, block 14, Hanscom Place, w d—$1,800.

H O Jones and wife to William S Cannon, north 44 feet of lot 3, block 5, Elkhorn, w d—$100.

S H H Clark (trustee) to Helen E Treman, lots 11 and 12, block 8, West Side add, w d—$625.

William L McCague to Kate M Rhoades, lot 19, block 14, Hanscom Plack, w d—$3,050.

M T Patrick and wife to George W Kurz, lot 3, block 12 of Patrick's proposed 2d add to Omaha, w d—$100.

N B Ours to J W Tazen, lot 13 in subdivision of east 295 feet of block V, Shinn's 3d add, w d—$1,450.

Anna M G McCormick and others to Maggie Sullivan, lot 11, block 3, Deer Park, w d—$1,000.

P C Himebaugh and wife to P R Belden, lots 12 and 14, block C, Saunders & Himebaugh's add, w d—$1,200.

Charles McCormick to Wm C Ellis, lot 4, block 4, McCormack's 2d add, w d—$500.

Charles McCormick to James P Ellis, lot 3, block 4, McCormick's 2d add, w d—$500.

David Kendall and wife to John Riley, lots 11 and 12, block 8, Kendall's add, w d—$1,325.

City of Omaha to Charles McCormack, 80x108¼ feet, commencing at the north east corner of block 12, McCormick's 2d add, q c—$5,000.

Daniel Kendall and wife to John Riley, lot 1, block 7, Kendall's add, w d—$900.

Joseph Barker and others to B F Troxel, lots 9 and 10, block 15, Meyers, Richards & Tilden's add, w d—$800.

William Fitch to the public, plat of Linwood Park—dedication.

Anna Foos to Emma M Tate, lot 29, Himebaugh's place, w d—$2,000.

James B Brown to John A Ryan, lot 4, block 7, Plainview, w d—$800.

Henry B St John and others to John A Bryans, lot 16, block 1, Exchange Place, w d—$675.

H C Moody to John A Ryan, lot 3, block 7, Plainview, w d—$800.

Fred B Ketcham to John A Ryan, lot 2, block 7, Plainview, w d—$800.

Trouble in a School District.

There is big excitement in West Omaha precinct over the high handed action of Trustees Bob Taylor & Co., in changing the location of the schools, etc. A public meeting, to protest against the outrage, will be called.

An Imperial Tricycle.

The emperor of Morocco is said to have taken a great fancy to tricycle riding. He has lately had a machine constructed on a new plan—a sort of double bicycle of gigantic proportions fitted with a couch, with a couple of wheels in front, each propelled by a black slave. Reclining at full length under a scarlet canopy adorned with gold tassels, his imperial majesty takes daily "exercise" in the grounds adjoining the palace. Beside him on a bracket stands a sort of pedometer in the shape of a small timepiece, at which the emperor glances from time to time in order to ascertain the rate of speed attained by the machine.

The attention of the Society for the Prevention of Cruelty to Animals is directed to a case reported to a representative of the BEE yesterday. It is said that night before last a workman in the employ of the Midland Electric Light company left his horse, attached to a light delivery wagon, standing in an alley until morning without a blanket or shelter of any sort. The poor beast was discovered in the morning all but frozen to death. It is said that this is not the first time the same thing has occurred this winter.

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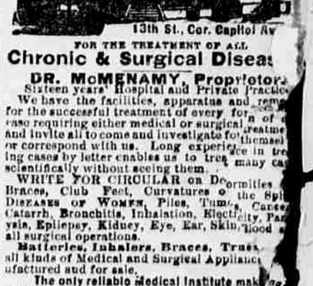

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