THE OMAHA DAILY BEE: THURSDAY, JUNE 30. 1887.

HORSE AGAINST CABLE CARS. Interesting Information Pertaining to Both Lines in This City. DAMAGES ASSESSING THE

A Meeting of the Commissioners Appointed to Adjust the Differences Between the Two Companies.

Cable vs. Horse Cars. The commission consisting of Lewis Clements, of California, Thomas Corrigan, Kansas City, and Leavitt Burnham, Omaha, appointed to inquire into and assess damages, if any, sustained by the Omaha Horse Railway company, by reason of the Cable Tramway company building their lines upon and across streets occupied by the horse railway company, convened at 9 o'clock yesterday morning in the judge's chamber, custom house, and resumed the hearing of testimony

W. A. Smith, superintendent Horse Car company, testified as follows, the examination being conducted by Judge J. M. Woolworth, counsel for the horse railway company:

Am secretary of the horse railway company. The number of passengers daily carried on our lines from the Union Paoific depot to Farnam street will reach from 1,500 to 1,800. We have sixty-two cars in regular service, 450 horses and 105

cars in regular service, 450 horses and 105 men, outside of construction gang. Question—What percentage of your earnings go to defraying expenditures? Answer.—Nearly 60 per cent. Our expenses would, in some cases, be in-creased by the consummation of pro-posed extensions. We carry from 16,009 to 18,000 passengers per diem. Cross-examination by General Cowin, who with Judge Lake represents the Cable Tramway company. We have a line on Leavenworth from Phil Sheridan street to Park avenue, and from Sixteenth to Leavenworth street, and they enjoined us. We propose to build south on Sixteenth street and over the viaduct, which is sufficient for horse car viaduct, which is sufficient for horse car service. We have a prospected line on service. We have a prospected line on Twentieth street, and put in crossings and curbs one year ago last summer, this year expect to make extension to fair grounds. We have a single track from depot to Farnam on Tenth street. Cars

on Tenth only run in one direction from depot up into the city. Double track on Farnam west from Tenth. Bulk of travel on Tenth street is from depots, passing up Farnam in heart of city, the bulk get-ting off between Tenth and postoffice. On Twentieth, if the cable company builds, will parallel us from Cass to Cumming street, a distance of four blocks. We have double tracks there, blocks. We have double tracks there, cars going north on east track and south on west track. Bulk of our travel passes over this stretch. That is a section where we pick up the largest percentage of travel. Those are the only two points. I think, where they propose to parallel us on same streets. We run fifty cars reg-ularly, average from \$7 to \$10 daily, about \$8 now, and about 25 per cent lighter during the winter. It cost about \$7.50 per diem to run a car. W. W. Marsh, treasurer of Horse Rail-way company, testilied:

W. W. Marsh, treasurer of Horse Rail-way company, testflied: June receipts, Farnam street lines, something like \$86,024.50; Park avenue lines, \$6,080.40; trom depot to park, \$83,016.55, Fifty to sixty per cent goes to expenditures. When our lines are all complete and thoroughly systematized our expenses will not exceed 50 per cent. It will be difficult to induce passengers to cross cable line

induce passengers to cross cable line

Cowin-Oh, I'm only an attorney, you know. I say if they make it. A. I think I would. Q. Well, don't you know that proposi-tion was made to President Frank Mur-A. No sir; never heard of it, save when once hinted at such an arrangement

I once hinted at such an arrangement myself. Mr. Burnham examines. In case horse car lines were cut off below Tenth and Farnam, what would be the effect? A. We'll lose 1,600 passengers daily. Yes, the depot is the terminus of all our lines, excepting the Thirteenth, which goes within a couple of blocks. By trans-fer, without extra charge, we carry pas-sengers from any part of the city to the devot.

devot. C. B. Rustin, secretary of the cable lines, testified: We made Mr. Murphy a proposition relative to building tracks on Twentieth between Cass and Cumming, but nothing definite came of it. The but nothing definite came of it. The cable company is still willing to do this. Yes; horses can travel on cable lines. With Mr. Rustin's testimony, the hear-ing of the evidence closed, and the commission is now engaged in its deliberamission is now engaged in its denbera-tions, the testimony of the cable line hav-ing all been taken by deposition in the injunction suit of of the horse car com-pany against them one year ago. The commission will finish its labors this afternoon, but will not promulgate any decision arrived at. For this the public must wait upon the courts accision arrived at. For this the public must wait upon the courts. At 4 o'clock yesterday afternoon the commission filed its report in the office of the clerk of the United States circuit court. The report was sealed and will be opened in Judge Dundy's court this morning.

THE COURTS. What Was Done Before the Judges To-day.

Yesterday morning Julia Doran, the widow of Bernard Doran, who was killed by the falling of an elevator wheel in 1. Oberfelder's store last March, filed a petition in the district court against Oberfelder asking for damages at \$5,000. She complains that the suppot of the elevator was defective, consisting of a few rotten boards connected with bolts and nails, and all through the negligence of the defendant.

Judge Groff was hearing the case of El-mer E. Finney against Officer Hinchey, charging him with false imprisonment, He sues for \$2,000 damages. Jerry Murphy says it was he who made the arrest

The case of the Omaha Lumber com-pany vs. Joseph Leeder, was being heard by Judge Hopewell. It is an effort to recover a \$60 lumber bill.

Arguments are being made in Cochran divorce case. Jacob B. Erion has filed a suit in

district court against Isaac S. Hascall, for a breach of contract in building on lot 9 block 7, in South Omaha. An in-junction has been issued restraining Hascall from interfering with the property. UNITED STATES.

UNITED STATES. The case of Gay S. Dayton vs. Jacob Wertheim, to recover commission on goods sold, was begun before Judge Dundy of the United States' court this moreing, and went to the jury at 3 o'clock this afternoon. M. V. B, and Co., of Hastings, brought a bill in equity in the United States cir-cuit court vesterday to have judgment

a bit in equity in the United States eff-cuit court yesterday to have judgment rendered against them and in favor of the Olds Wagon works of Indiana, set aside. The judgment was for \$822.40. The plaintiffs base their claim to have it set aside on the ground that they under-stood from their attorney that the case had been dismissed and so allowed judg-ment to be rendered against them by de-fault.

COUNTY COURT. In the county court yesterday Jacob Elmers, by his best best friend, Charles Tinker, filed a suit against Charles White and John Morrison to recover \$400. The defendants conduct the club rooms at 1321 Douglas street, and El-mers claims to be a minor and to have lost the amount mentioned at a faro

fault.



Royal Baking Powder is Superior to all others in Strength and Purity.

Certified extracts from the report of Hon. E. Miall, Commissioner, and Professor William Saunders, F. R. S. C., Public Analyst, Inland Revenue Department, Ottawa, Canada, pages 4, 20, 21 :

"Eight samples of baking powder have been analyzed; six were found to be adulterated, the proportion of adulterant varying from 20 to 60 per cent. The other two consisted of a mixture of bicarbonate of soda and pure cream of tartar without any adulterant."

"Royal-Result of analysis: Contains cream of tartar, carbonate of soda ; pure."

"Price's-Result of analysis: Contains matter insoluble in water 24.16 per cent., consisting of starch and tartrate of lime; adulterated."

"The Royal Baking Powder is absolutely pure. It is undoubtedly the purest and most reliable baking powder offered to the public.

"HENRY A. MOTT, Ph. D.,"

U. S. Government Chemist.

THE RANGE. The Shoot Which Took Place Yes-

terday Afternoon. Yesterday afternoon at 3 o'clock the largest number of members of the Omaha

Gun club which has yet attended the weekly meeting at the range, left over tho B. & M. to enjoy the special programme which was prepared for to-day. The day was delightful and the promise of an excellent shoot was most encouraging. Among the features outlined were few individual contests. Among the visitors were a number of leading society ladies of the city.

HARRISON'S CASE. There has been a great deal said in the papers about the lots purchased by Har-rison on and near the Bellevue rifle range, and it now looks as if the matter would be settled. This morning he ex-changed the lot, which lies right in the line of vision on the range with Mr. T. A. line of vision on the range with Mr. T. A. Creigh for property in another locality, though he still retains possession of the other lots in question. One of these parcels hes to the west of the range, and even if the line of the latter should be changed the bullets would still pass, Har-rison says, close to his place. This prop-erty has been fenced up by H. T. Clark, who, Harrison claims, has no right what-ever to it. The third lot, northeast of the targets, Harrison still holds. What will be done with the latter parcels, Harrison says, depends upon H. T. Clark.

which is receiving most attention, and it is expected that a few days will reveal what may be done in the premises.

J. McDonnell, F. A. I. A., Architect N. E. cor. 15th and Dodge.

Public Works. The board of public works have declared certain lots in E. V. Smith's and Horbach's first and second additions nuisances, and ordered the filling of the same. These lots in the main abut upon the old creek a short distance north-west of the bridge on Eighteenth street. The latter will be torn down as soon as all the lots are filled all the lots are filled.

Yesterday morning the results of the defective sewer work on South Tenth street opposite Mr. Kountze's property, were again made noticeable by the dropping again mate not ceable by the aropping down of a large section of the asphaltum pavement. Some time ago, a sewer was put in the street, and the trench was filled without tamping. Over this the pavement was laid. The support of the latter has now fallen away, with the re-sult mentioned. Mr. Balcombe visited sult mentioned. Mr. Balcombe visited the break this morning and ordered it repaired.

Fourth of July.

The Chicago, Rock Island & Pacific Ry. will sell round trip tickets to all points in Iowa at one fare for the round trip tick-ets. On sale July 2d, 3d and 4th. Good to return on or before July 5th. Ticket office 1305 Karnam et office, 1305 Farnam st. S. S. STEVENS, General Western Agent.

WHAT BETTER

Do you want than the bargains we are now offering in every department? Last week we mentioned a few good things in furnishing goods; they are going off like hot cakes. Evidently the people know that we never advertise bargains unless we can show them. For this week we will offer a few special drives in PANTS.

- 1000 pairs good Cassimere Pants, every fiber wool, in two shades. both nice and attractive, well cut and made; a Pants which other dealers are offering as a bargain at \$3; only \$1.75.
- 600 pairs good all wool hair line Pants in several patterns at \$2.25; full worth \$4.

600 pairs finer grades at \$2.50.

- Several lots of fine Cassimere Pants, striped and checked, some all wool and some silk mixtures, at \$2.90, \$3.25, \$3.50 and \$3,75. Some of these are equal to custom made goods, and fully worth double the money asked.
- For the laboring man we offer good substantial Jean Pants, well made at 50c, 75c, \$1 and \$1.25.

Remember we have no special leaders but every article we offer is a leader in itself.

All goods marked in plain figures and at strictly one price at the

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ph;

would be to the two lines thus affected 75 at least. We would lose a large pro-portion of the business. Don't know what building of Motor line costs. It would be a cheap horse car railroad. It couldn't be laid cheaper. Their rails run about 20 to 30 pounds to the yard. The injunction against our Leavenworth ex-tension has not been argued. We charge five cents a passenger, with re-duction for children. Uross-examination by Commissioner

Cross-examination by Commissioner Burnham. The value of our line on Tenth and Farnam, plant, material and all, is about \$3,500, on an estimate of \$12,500 for con-struction per mile. Twenticth street tine, between Cass and Cuming, one-quarter of a mile, value, \$2,500, material and lay-ing track. The damages that would ac-crue by reason of the crossing at the in-tersection of Farnam and Tenth street, resolves itself into the maintenance of

tersection of Farnam and Tenth street, resolves itself into the maintonance of said crossing. Invariably the party who outs maintains the crossing. Tooss-examination by Cowin: The ter-mini of our lines are as follows: Thir-teenth and Cuming line, Vinton and Six-teenth, south, Thirty-sixth and Cuming; Red line, Union Pacific depot, corner Lake and King and Patrick's addition; Green line, tHanscom park, Lake and King; Farnam and Park line, Hanscom park and Union Pacific depot; Farnam and Twenty-fourth street line, Union Pacific depot and Creighton college, on California street.

Pacific depot and Creighton college, on California street. (The termini of the cable lines as far as projected are as follows: Grace street, south along Twentieth, to Leavenworth, from Twentieth east to Tenth on Dodge and Harney; Tenth. south to depot, on Leavenworth west to college. Of these lines there are already iff a state of com-metice these from Grace to Cuming, from pletion those from Grace to Cuming, from Tenth to Twentieth and from Union Pa-

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A.-We could. Q.-Would your company be willing to

do that? A.-I have no authority to answer. Q.-Well, then, as treasurer, stock-holder and director, would you vote to accept such a proposition? A. I am always willing to do what is

Mind, we to put in the track and it as available for you as for our-

to you make that proposition?

table. The suit is said to have been in-stigated by rival gamblers and is an out-growth of the late row with the man oderstrom

Abraham Silverman brought suit yesterday morning against Julius A. Roeder. The latter was his landlord, and though the former was not in arrears, Roeder pulled off part of the roof of the place which Roeder rented, 313 South Tweifth street. While thus exposed rain des-troyed \$500 worth of his stock.

JUDGE KARLL. Henry Pohlman, the man charged with drawing a revolver on Constable Edger-ton, was arrested this morning on a war-rant issued by Judge Karll.

Police Court Pointers.

There was not much stir in police cir cles yesterday morning, and the work before Judge Berka was of a lighter order than it has been for two weeks.

. Fred Williams, Frank Parker, Nellie Gray and Mrs. Currie, who were run in at an early hour this morning by Officers Grady and O'Brady, for disturbing the peace, were fined \$5 and costs each, which they paid. Hen Smith and the well known crook, Willie Morrow The State of the Officer

Hen Smith and the well known crook, Willie Morse, were arrested by Officer Pulasky about 11 o'clock last night while in the act of tapping F. Klenche's till, corner Sixteenth and Leavenworth streets, and this morning their cases were continued, as they are suspected of having a hand in a much biggor job. About two weeks ago Klenche's house was robbed of \$350 in cash, and the very next night was again burglarized, the second raid netting the threves Mrs. Klenche's gold watch and chain, a silver watch, some trinkets and

thieves Mrs. Klenche's gold watch and chain, a silver watch, some trinkets and a small amount of cash, and Morse and Williams are thought to be the parties who did the work. When searched by Jailor Ormsby, a revolver, some money and several watches were found on each. Hiram Greenleaf, a colored man, was towed in by Oflicer Ormsby, this after-neon under the susciplicion of having noon, under the suscipicion of having stolen a lot of valuable jewelry. The charge agaiust him was grand larceny.

Daniel Frang was arrested by Officer Bloom for abusing his famity. The trial of A. B. Moere, for malicious destruction of property, in cutting down some trees belonging Frank Despar, was yesterday in progress before Judge Berka and a jury.

County Business.

The county commissioners were yesterday morning working with renewed inter-est in the matter of equalizing the assess-ments. They had nearly covered the en-tire county and expected to find a number of omissions of the lists in addition to those which have already been made public. These omissions have been charged to the clerk by whom they were made. It is claimed by friends of the lat-ter that such mistakes are almost un-avoidable, because of the rush in the office, and the inability of a comparison being made because the law requires the books to be delivered to the assessors at about the time the clerical work upon them is finished, thus preventing all chances of comparison. day morning working with renewed inter-

Blugging on the Street, A disgraceful set of tistcuffs took place this morning on Douglas street near Hibben & King's restaurant. An employe of that place had in some manner broken of that piace had in some manner broken a pane of glass, and later engaged in an altercation with the manager of the place a man named Burdick. They re-sorted to blows. The employe seemed under the influence of drink and got de-cidedly the worst of the encounter, be-ing cut badly in soveral parts of the face.

Remember the great anction sale of pure bred Hereford bulls, by Sotham & Stickney, at the stock yards to-day at 1 p. m.

THE BOARD DIVIDED. Bechel and Southard Will Not Join With the Mayor.

A reporter for the BEE yesterday morn ing asked W. F. Bechel, one of the three members, what he proposed to do with regard to exacting \$1,000 before granting iquor licenses.

- "I will stand by the record," he said, "and vote to grant permits to all appli-cants who pay the amount now required by ordinance, provided they furnish a satisfactory bond, and no protest be made against them."

CITY CLERK SOUTHARD. This gentleman was asked the same

question. "I will act as the ordinances of the city require, which is to vote for the granting of applications on the same conditions which we have all along re-

quired." Messrs, Bechel and Southard compose a majority of the license board, and if the mayor persists in exacting \$1,000 down for licenses, he will be opposed by these gentlemen. The mayor's recourse then must be the courts.

LIPTON'S DENIAL

He Has Not. It Seems, Sold the House to Armour.

Thomas J. Lipton, the celebrated Scottish provision dealer, has arrived in town in time to deny the truth of the statements which had been circulated concerning the sale of his house at the stock yards to Armour. This rumor was based he claims upon the seemingly friendly relations which existed between himself and Armour. It was true that he was selling the product of his house to Armour, and that he was using Armour's refrigerator cars in shipping this product. But these facts had nothing to do with the sale as mentioned. Mr. Lip-ton could sell to any other buyer in Chi-cago as well as to Armour. So far as he knew, Armour had not made up his mind to come to Omaha at all events he had to come to Omaha, at all events he had not bought the Lipton house. Mr. Lipton calls upon all with whom he has deal-ings. This is his second visit to Omaha in the past fortnight.

Rail Notes

General Manager Holdredge, of the B. & M. railroad, says they are having plans drawn for the iron bridge over Seventh street, and that they will proceed with the work as soon as these an ready.

Prof. Charles Pontez, the chemist ap-pointed by the Union Pacific and B. & M. roads to examine into the merits of Mc-Laughlin's fireless car heater, the inven-tion of an Omaha scientist, has made a most flattering report.

The Chicago, St. Paul, Minneapolis & Omaha road is soliciting bids for the erection of its proposed new freight depot, corner of Fourteenth and Webster street

Fred Mertzeimer, well-know in this city, and son-in-law of C. S. Baldwin, master mechanic at Evanston, Wyo., has been transferred in the same capacity to Kansas City.

Kansas City. Mr. Young, who was expected here some days ago to make a definite report from eastern backers as to the assistance they would give in building, the road from Omaha to Yankton, has not yet ar-rived. He was expected two nights ago. In anticipation of his coming, the local supporters of the movement are daily holding meetings and proceeding toward the incorporation of a company, the name of which has not yet been an-nounced. Mr. Young, however, is ex-pected at almost any moment, when some new and interesting developments will undoubtedly be made. The propo-tion of the Omaha Southers road to build to Yankton is one of the questions

Exposition Theatre.

Yesterday morning there was a meeting of Max Meyer, John A. McShane, J. W. Miner, J. A. Wakefield and several other members of the board of Directors of the

Exposition association at Max Meyer's store. The object of the meeting was to devise a means of remodeling the expo-sition building for theatrical and show purposes. A number of ideas was sug-gested, and among them were those of several exports several experts.

Lem Graham, one of the best known scenic artists in the country, has arrived in this city. He is the gentleman who has done the painting of the scenery at the Boyd for the last four years, and all of his work has been greatly admired. Mr. Graham is now figuring upon the scenic work which is to be placed. exposition building.

I have for sale to argain 20 acressituated on the main line of the B. & M. R. R., and near the new South Omaha depot at the terminus of the dummy line. Plenty of good, clear spring water, and an elegant grove of native timber, suitable for a summer garden. W. G. ALBRIGHT, 218 S. 15th st.

The Fish Commission A meeting of the Nebraska Fish commissioners was held this afternoon in B. E. Kennedy's office. Dr. Livingston, of Plattsmouth; W. L. May, of Fremont; M. E.O'Brien, South Bend; and B. E. B.Kennedy, of this city, were present. After discussion, a motion was passed authorizing the secretary to have cards and circulars printed embodying the state law with regard to the protection of fish and calling upon citizens to aid the com missioners in enforcing it. The circular will be forwarded to justices of the peace police judges, constables and other pub-lic officers throughout the state.

Lew May is attending the meeting with all the majesty becoming the presi-dent of the National American Fishery society, an honor conferred upon him and Nebraska at the last meeting of the association.

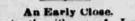
Estimates for glass furnished by Cum mings & Neilson, jobbers of Plate, Win-dow and Ornamental Grass, Paints, Oils, etc., 1118 Farnam St.

A Vaudoville Theatre.

The old Buckingham theatre has been overhauled and re-christened the Olympic. It will be opened Saturday night as a first class variety theatre by Cole & Parish. It is the the intention to run a vaudeville theatre of the very best char-acter and excellent talent has already been booked for weeks ahead.

Broke His Leg.

Fred Higginson, the six-year old son of Mrs. Celma Higginson, 610 north Twentieth street, accidentally broke the small boke of his right leg yesterday forenoon. He is a grandson of St. A. D. Balcombe,



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