WHY MRS. SPERRY WAS KILLED

Result of the Coroner's Investigation of the Lincoln Tragedy.

PRATT NOW REALIZES HIS DANGER

Refuses to Talk on the Subject of the Crime—Indications That the Murder Was Carefully Arranged—Testimony of Witnesses.

LINCOLN, Neb., May 12.—[Special to THE BEE.]—The jury impaneled by Coroner Crim last evening held an inquest over the remains of Mrs. Margaret Sperry this forenoon. The facts in relation to the commission of the crime brought out at the inquest did not differ materially from the story of the affair as related in THE BEE this morning. B. F. Snyder testified that he was about twenty-five feet from the couple when the fatal shot was fired. He saw Pratt draw the revolver and heard the woman exclaim, "For God's sake don't shoot me!"

James Smith, a next door neighbor, was just returning home on a street car and as the car stopped he heard the noise of the report and saw the woman lying on the ground. He procured a pair of nippers which were placed on the murderer's wrists. Pratt was then taken to the police station.

Mrs. May Walters and Mabel Sperry, daughters of the deceased, testified as to the facts of the shooting, their recital not differing from the general story.

Probably the most important testimony adduced was that of Mrs. W. W. Allen. She noticed Pratt at the corner of Twenty-first and K streets, three doors from the murdered woman's residence, at 5 o'clock in the afternoon. He was evidently waiting for some one and scanned the people getting out of the street cars at the corner closely. He walked away shortly before supper time, but soon returned and watched and waited until Mrs. Sperry returned. The shooting occurred a few moments after her return.

At the conclusion of the testimony the jury retired long enough to prepare the verdict, which was to the effect that Mrs. Sperry came to her death by a wound inflicted by Myron Pratt, and that the killing was premeditated.

Motive for the Crime.

No satisfactory motive for the crime has yet been discovered. Aside from his brief interview with THE BEE reporter last night Pratt has preserved a sphinx-like silence in regard to the affair, refusing to talk even to his guards and the few acquaintances who have called to see him. He is closely watched in his cell for fear that he may again attempt suicide.

The murdered woman has been a regular attendant at the revival meetings in progress in the Christian church and Tuesday evening united with that church and was baptised. Her friends claim today that Pratt was angered at her announcement that she would have nothing more to do with him and shot her while in a fit of passion. It is claimed that she asserted at least three weeks ago that she was "through with Pratt." The stories told by the friends of both sides are radically different and it is not likely that the real motive for the shooting will be developed until Pratt is put on trial.

To Entertain the Methodists.

Arrangements for the entertainment of the Methodist conference delegates upon the occasion of their visit to Lincoln next Saturday are practically complete. The delegates will be received at the depot by a large reception committee and escorted to the Lansing theater. At the Lansing an address of welcome will be given and a brief and interesting program carried out. The delegates will then be assigned to the different hotels for dinner, after which they will be taken in carriages to all points of interest in and around the city. If the weather is pleasant the program will be carried out in detail and the event will be one of the most notable in the history of the conference.

Won His Suit at Last.

J. H. Foxworthy of this city was today awarded a verdict of $5,000 damages against the city of Hastings for injuries received in that city by a fall on an icy sidewalk. The accident occurred in the winter of 1885-86, and Mr. Foxworthy has been permanently disabled in consequence. He instituted a suit for damages in 1887, asking for $20,000. He has been twice defeated in the district court, but both times the supreme court has ordered a new trial. The case came up before Judge Beall at Minden this week, and this morning the jury awarded Mr. Foxworthy the sum of $5,000.

Warner Pleads Guilty.

When arraigned in district court this morning Charles Warner, who has been under arrest since last March for shooting Judge Borgelt, withdrew his plea of not guilty entered last week and pleaded guilty to the charge of shooting with intent to kill. His attorneys had intended to make insanity their defense, but after making a thorough investigation they gave up the plan as hopeless in view of the fact that Drs. Knapp, Lowrey and Crim had visited Warner a few days after the shooting and examined him thoroughly as to his sanity. They unhesitatingly pronounced him perfectly sane. Warner was remanded to the custody of the sheriff until Saturday, when sentence will be pronounced.

It Will be a Treat.

Reduced rates have been arranged throughout Nebraska for the extensive loan exhibition to be opened at the new building of the Young Men's Christian association Friday, May 20. Several thousand rare and interesting articles will be exhibited. The affair will be continued until June 1.

SLASHED BY A MANIAC.

Papillion People Have a Desperate Struggle with a Crazy Man.

PAPILLION, Neb., May 12.—[Special Telegram to THE BEE.]—David Remaly, an old farmer living three miles east of here, became violently insane this afternoon and arming himself with a long carving knife and an iron rod attempted to kill his daughter and showed violence to all who approached. He later started across the country. His neighbors intercepted him, when he made a vicious attack on Farmer Gallagher, slashing him across the hand with the knife. Gallagher disarmed him by breaking the blade and with the aid of others brought him to town.

He is confined in the city jail and will be examined by the board of insanity in the morning. Remaly has a number of grown sons and daughters in the county and is an old settler.

Investigating the Trouble.

RUSHVILLE, Neb., May 12.—[Special to THE BEE.]—George C. Faville, a veterinary inspector who was sent here by Secretary Rusk to investigate a peculiar disease prevailing among the horses of this locality, arrived Monday and has entered upon the discharge of his duties. As soon as he makes his report decided measures will very likely be taken to eradicate the disease. Very favorable comments are heard on account of this very prompt action of the department in coming to the relief of the people in this matter.

Inspecting the Union Pacific.

BEATRICE, Neb., May 12.—[Special Telegram to THE BEE.]—General Superintendent P. J. Nicholls, Division Superintendent J. A. Foley and L. J. Lanktree of the Union Pacific came down last night in a special car. They were on a tour of inspection. Much damage to the company's tracks between this city and Lincoln and south of here has resulted from the recent rains. The party went south this morning.

Will Celebrate the Occasion.

O'NEILL, Neb., May 12.—[Special to THE BEE.]—Elaborate preparations are being made by the Grand Army veterans of this city for an appropriate celebration on Decoration day. Hon. James Whitehead of Broken Bow has been invited and will participate in the ceremonies and deliver an address. The different lodges and societies of the city will take part.

Tekamah's Female Musicians.

TEKAMAH, Neb., May 12.—[Special to THE BEE.]—The Tekamah female "Pullet" band is now in full blast. The "Pullet" band accidentally took its name from one of its contributors, who, in his donation, drew a check on the First National bank of Tekamah, payable to the "Pullet" band. The check was all right until the girls found that on presentation it would have to be endorsed by the "Pullet" band before they could get the money. It took some time before the girls could see it that way, but as it was the only alternative, they submitted. The "Pullet" band has a fine lot of instruments and is under an able instructor.

TEKAMAH'S REPUBLICAN CLUB.

Republican Institutions Defended—Interesting Address on the Tariff.

TEKAMAH, Neb., May 12.—[Special Telegram to THE BEE.]—Despite the inclemency of the weather the court house was packed to its full capacity tonight to listen to an address by ex-Lieutenant Governor Meiklejohn, given under the the auspices of the Tekamah Republican club. The speaker handled the tariff question in an able manner, giving a comprehensive review of the United States experience as a nation from which he deduced the logical conclusion that protective tariff and free trade were important factors in the prosperity or adversity of the people. He also dwelt at considerable length upon the interest manifested by English manufacturers in the politics of this country with reference to the tariff, including some of the labors of the famous Cobden club in the distribution of literature conveying the English idea of what America should do to foster her own industries.

Touching upon the currency, the speaker took a decided stand against free coinage and impressed very forcibly the fact that it would benefit the owners of silver bullion only and that it was not a question that should divide the east from the west, but one in which every farmer, laborer or mechanic should join in opposing a law that would make it possible for a favored few to exchange $3.50 in silver for $3.00 in gold while the farmer and laborer must give an equal value for all they receive.

He admitted the advisability of increasing the circulation to some extent and favored issuing to national banks the 10 per cent held in reserve on their deposit. Mr. Meiklejohn then paid a glowing tribute to the efficient administration of President Harrison, which brought forth storms of applause from his audience, and when in connection with reciprocity he spoke of the illustrious statesman, James G. Blaine, enthusiasm was at its climax.

At the close of the meeting the club elected Charles T. Dickenson, president; John L. Wilson, vice president, and E. C. Houston, treasurer. The club with an enrolled membership of nearly 150 promises to play an important part in the great victory to be achieved this fall.

Farmers Slightly Discouraged.

SEWARD, Neb., May 12.—[Special to THE BEE.]—Farmers in this vicinity are getting somewhat discouraged over the continued wet weather. Very little corn has been planted and a majority of the farmers have very little ground prepared for planting. The ground is thoroughly soaked with water and it is still raining. There will be a larger acreage of corn listed this year than ever before. Small grain looks well so far.

Young Republicans Busy.

NEBRASKA CITY, Neb., May 12.—[Special Telegram to THE BEE.]—The Young Men's Republican club held a well attended and enthusiastic meeting at the court house this evening. Short talks were made by local speakers and a number of new members signed the roll. Arrangements were perfected for a grand demonstration May 28. Many prominent speakers will be present.

Not a Case of Smallpox.

GRAND ISLAND, Neb., May 12.—[Special Telegram to THE BEE.]—Rumor has been spread that the Russians employed on the Oxnard beet field, near Wood river, were infested with smallpox. Investigation has proved that the report is groundless. It is merely a case of measles.

Will Have a New Mill.

TALMAGE, Neb., May 12.—[Special to THE BEE.]—A cornmeal mill will be built in Talmage in the near future. It was decided by the leaders in this movement that $10,000 must be subscribed to insure the establishment of the mill, and $8,000 has already been subscribed.

Damaged the Tracks.

NEBRASKA CITY, Neb., May 12.—[Special Telegram to THE BEE.]—Today's rain washed out the Missouri Pacific track for a considerable distance just south of this city. The southbound passenger was held here five hours.

Dr. Birney's Catarrh Powder cures catarrh. For sale by all druggists. 50 cents.

SOUTH OMAHA.

Police Officers Arrest Three Innocent Men as Burglars.

Early yesterday morning a gentleman came in great haste to the police station and in stage whispers imparted some startling intelligence. He informed Officers Spoettle and Thomas that three real full-sized and villainous burglars were in hiding in a box car in the Union Pacific yards, and that one of them carried the largest kit and most complete outfit of burglar's tools he had ever beheld. Away scudded the officers, bent upon making a great capture and glory and fame dazzled their visions. A few moments later they triumphantly returned with their captives and their countenances beamed with extreme satisfaction. The kit of burglar's tools was examined and proved to be nothing more nor less than an upholsterer's outfit and the three prisoners were upholsterers, bound for Denver and had chartered that "sidi door palace" car for their use. Judge Fowler discharged the three men from custody. Their names were Joseph Garbon, F. H. Wood and J. W. Taylor.

Want to Be Garbagemaster.

At Monday evening's session of the city council Mayor Miller appointed J. W. Snively garbagemaster, to succeed Charles Split, who was removed by the mayor. When Mr. Snively attempted to assume the duties of the office Mr. Split demurred and refused to vacate, and now the city is blessed with two garbagemasters. Mr. Snively says he is the rightful custodian of the city garbage and Mr. Split says he is. That there is a split is very evident and the matter will probably be adjusted by a case or two being taken into police court.

Accidentally Cut.

Uncle Dan Miles met with a painful accident yesterday afternoon. He was engaged in trimming a number of small trees in the nursery stock at Twenty-fourth and N streets and was using a large knife. The knife slipped and the blade penetrated his left wrist to a great depth, cutting an ugly gash from which the blood poured in a perfect stream. A surgeon dressed the wound.

Notes and Personals.

Michael Burke of the Cudahy fire hall is visiting in Keokuk, Ia., his old home.

Miss Alma Dempster of Ottumwa, Ia., is the guest of Mr. and Mrs. A. W. Babcock.

Rev. Dr. Grandison will lecture at the First Methodist Episcopal church this evening.

William Sutherland and C. B. Smith of Blair were visitors in the Magic city yesterday.

O. E. Strong goes to Fremont today in response to a telegram announcing his wife's illness.

Mrs. Emma Pickett, a sister of Frank I. Lee, arrived in the city yesterday from Mattoon, Ill.

Three children of Edward Maher, Twenty-second and R street, are seriously afflicted with diphtheria.

Yesterday's receipts of hogs at the Union Stock yards were the largest since March 15, the number being 8,200.

C. W. Miller and wife returned yesterday from Jackson, this state, where they have been visiting for several days.

Captain John Berry, a heavy property owner in South Omaha, arrived in the city from Glenwood, Ia., yesterday.

Captain N. E. Acker left yesterday for Panama, Ia., in response to a telegram announcing the serious illness of his father.

Samuel Shrigley has gone to Leavenworth, Ind., to visit with his mother. Mrs. Shrigley will visit at Ashland during Mr. Shrigley's absence.

The order has been issued and all parties caught in the act of dumping garbage within the city limit will be brought up before the police judge instanter.

Mary, aged 2 years, daughter of Mr. and Mrs. George Gubbie of Albright, died at an early hour yesterday morning. The funeral occurred at 2 o'clock yesterday afternoon.

Gus Tyler celebrated his 17th birthday yesterday and last evening a party was given in honor of the event at the home of his mother, Mrs. Jennie Tyler, on Twenty-sixth street.

Michael Murphy, aged 40 years, died at a late hour Wednesday evening at his home, 2904 Q street. The funeral will occur at 8 o'clock this morning, services being held at St. Agnes' church.

The city council will meet this evening to listen to the remonstrances against issuing licenses to J. P. Thomsen, John McKeon and J. F. Haller, the remonstrator being Mrs. Nellie Johnson. If the length of the last session held for this purpose is a criterion, the council will be good for almost an all night's session.

Dr. Birney's Catarrh Powder for tonsiletis. For sale by all druggists. 50 cents.

Marriage Licenses.

The following marriage licenses were issued by Judge Eller yesterday:

Name and Address.	Age.
Knud Thomsen, Omaha	55
Helen Williams, Omaha	61
Charles W. Kaltrier, Omaha	24
Maria A. Green, Omaha	23
Stephen Kenchel, Omaha	25
Bertha Roweder, Omaha	24
Soren C. Holmes, Omaha	27
Nielsine Hansen, Omaha	29
William H. Stewart, Omaha	38
Julia A. Sudeck, Omaha	24
Joseph Meyers, South Omaha	23
Minnie Means, South Omaha	23
Nels J. Peterson, Omaha	26
Christina Nelson, Omaha	26

Dr. Birney's Catarrh Powder for cold in head. For sale by all druggists. 50 cents.

Building Permits.

The following permits were issued by the superintendent of buildings yesterday:

J. Gifford, two-story brick addition to dwelling, Eighteenth and Capitol avenue	$ 1,000
Three minor permits	450
Total	$ 1,450

Spectacles, Dr. Cullimore, 224 Bee bldg

Country Merchants

Who are cash buyers should not fail to take advantage of the Hellman's administrator's sale to secure some wonderful bargains for their fall trade. Address HELLMAN'S ADMINISTRATOR, 13th and Farnam, Omaha.

PROPOSALS FOR PERMANENT SIDEWALK, WOODEN SIDEWALK AND CROSSWALK CONSTRUCTION.

Sealed proposals will be received by the undersigned until 1:30 o'clock p. m., May 27th, 1892, for the construction of all permanent sidewalks, wooden sidewalks and crosswalks, ordered laid by the mayor and city council from June 1st, 1892, until January 1st, 1893, in the city of Omaha.

Permanent sidewalks to be constructed of stone, artificial stone, brick or tiling, and wooden sidewalks of white pine lumber and tids will be received for the construction of crosswalks, to be built of white pine, white or burrock planks, according to plans and specifications on file in the office of the board of public works. Bids specifying a price per lineal foot will be received for white and burrock timbers 6x12 and 8x12, to be placed parallel in the crosswalks in accordance with plans on file in the office of the board of public works.

No bids for stone sidewalks will be considered except for stone known to have an actual existence and of known quality and merit for permanent sidewalks.

Each bid for permanent sidewalks to specify a price per superficial square foot and for wooden walks a price per lineal foot for the sidewalk complete, and to be accompanied by a certified check in the sum of $500, payable to the city of Omaha, as an evidence of good faith. The board reserves the right to reject any or all bids and to waive defects.

Bidders must furnish a sample of stone, brick or tiling. P. W. BIRKHAUSER,
Chairman of the Board of Public Works.
Omaha, May 12th, 1892. m12 13 17 20

NOTICE OF APPRAISERS OF DAMAGES FOR GRADING.

To the owners of all lots, parts of lots and real estate along the alley in block two (2), "Idlewild," from Grant street to Spruce street in the city of Omaha.

You are hereby notified that the undersigned, three disinterested freeholders of the city of Omaha, have been duly appointed by the mayor, with the approval of the city council of said city, to assess the damage to the owners respectively of the property affected by the grading of the alley in block two (2), "Idlewild," from Grant street to Spruce street, declared necessary by ordinance 3414, passed April 12, A. D. 1892, approved April 14, A. D. 1892.

You are further notified that having accepted said appointment and duly qualified as required by law, we will, on the 23rd day of May, A. D. 1892, at the hour of ten (10) o'clock in the forenoon, at the office of T. C. Brunner, room 1, Ware block, within the corporate limits of said city, meet for the purpose of considering and making the assessment of damage to the owners respectively, of said property, affected by said grading, taking into consideration special benefits, if any.

You are notified to be present at the time and place aforesaid, and make any objections to or statements concerning said assessment of damages, as you may deem proper.

T. C. BRUNNER,
JOHN E. FLACK,
JOHN W. ROBBINS,
Committee of Appraisers.
Omaha, May 11th, 1892. m12d10t

PROPOSALS FOR STEAM HEATING—Department of the Interior, office of Indian affairs, Washington, D. C., May 9, 1892. Sealed proposals, endorsed "Proposals for Steam Heating," and addressed to the commissioner of Indian Affairs, Washington, D. C., will be received at this office until 1 o'clock p. m. of Monday, June 6, 1892, for the furnishing of all necessary materials and labor and placing in position, complete and ready for use, one low pressure steam heating and mechanical and ventilating apparatus for the three Indian school buildings at the Shoshone Indian agency, Fremont county, Wyo., the boilers for said apparatus to be placed in the basement of one of the buildings as the office may direct. Plans and elevations of the buildings for the guidance of the bidders in the preparation of bids may be examined at the office of the "Bee" of Omaha, Neb., the "Republican" of Denver, Colo., the "Tribune" of Salt Lake City, Utah, and at this office. Bidders are required to accompany their bids with designs and specifications of the steam heating and ventilating apparatus proposed to be furnished, said designs and specifications to be adapted to the buildings to which they are to be applied. The right is reserved to reject any or all bids or any part of any bid if deemed for the best interest of the service.

CERTIFIED CHECKS.

Each bid must be accompanied by a certified check or draft upon some United States depository or solvent National bank in the vicinity of the residence of the bidder, made payable to the order of the commissioner of Indian affairs, for at least 5 per cent of the amount of the proposal, which check or draft will be forfeited to the United States in case any bidder or bidders receiving an award shall fail to promptly execute a contract with good and sufficient sureties, otherwise to be returned to the bidder. Bids accompanied by cash in lieu of a certified check will not be considered. For further information apply to T. J. MORGAN, Commissioner.
M13d21t

Receiver's Sale.

Notice is hereby given that, pursuant to an order of the district court of Douglas county, Nebraska, sealed proposals endorsed "Proposals for purchase of liquor," and addressed to Charles V. Miles, receiver, 609 New York Life building, Omaha, Nebraska, will be received up to and including May 23rd, 1892, for the purchase of the whole or portions of the stock of whiskies, wines, liquors, etc., formerly owned by R. R. Grotte and used in his wholesale and retail liquor business in Omaha, Nebraska, together with all the furniture and fixtures used in and about said business.

The stock can be seen and a detailed description of the same can be had upon application to the receiver.

The sale to be for cash, and a certified check for 10 per cent of the amount offered must accompany each bid, which check will be returned in case the proposal accompanying same be rejected.

The receiver reserves the right to reject any or all bids.

OMAHA, Nebraska, May 4th, 1892.
CHARLES V. MILES, Receiver,
609 New York Life building.
May 8 d 10 t m Omaha, Neb.

NOTICE TO PROPERTY OWNERS.

You are hereby notified that the following described premises, to-wit:

Lot 3, in Horbach's addition to the city of Omaha; tax lot 14, in section 22, township 15, range 13; lot 10, Capitol addition, being lot at southwest corner of Harney and 24th streets, and lot 10, McCandlish Place, have been declared by ordinances Nos. 3598, 3696, 3697 and 3706, respectively, to be nuisances by reason of banks of earth existing thereon.

You are hereby directed to abate said nuisance by grading said banks of earth down to about the level of the surrounding streets on or before June 2, 1892, or said nuisances will be abated by the city authorities, and the expense thereof levied as a special tax against the property on which said nuisances exists.

Dated this 12th day of May, 1892.
P. W. BIRKHAUSER,
Chairman of the Board of Public Works.
m12-13-14-16-17

ONE ENJOYS

Both the method and results when Syrup of Figs is taken; it is pleasant and refreshing to the taste, and acts gently yet promptly on the Kidneys, Liver and Bowels, cleanses the system effectually, dispels colds, headaches and fevers and cures habitual constipation. Syrup of Figs is the only remedy of its kind ever produced, pleasing to the taste and acceptable to the stomach, prompt in its action and truly beneficial in its effects, prepared only from the most healthy and agreeable substances, its many excellent qualities commend it to all and have made it the most popular remedy known.

Syrup of Figs is for sale in 75c bottles by all leading druggists. Any reliable druggist who may not have it on hand will procure it promptly for any one who wishes to try it. Manufactured only by the

CALIFORNIA FIG SYRUP CO.,
SAN FRANCISCO, CAL.
LOUISVILLE, KY. NEW YORK, N. Y.

PROPOSALS FOR BUILDING MATERIAL—lumber, etc.—U. S. Indian Service, Rosebud Agency, S. D., May 2, 1892.—Sealed proposals, endorsed "Proposals for lumber, building material, etc.", as the case may be, and addressed to the undersigned at Rosebud agency, S. D., via Valentine, Neb., will be received at this agency until 1 o'clock p. m. of Tuesday, May 24, 1892, for furnishing and delivering at Valentine, Neb., or at points on the Rosebud Indian reservation to be designated by the undersigned, about 200,000 feet of assorted lumber, 145,000 shingles, 60,000 laths, brick, lime, hardware, doors, windows paints, oils, etc., a full description of which together with information as to points of delivery, will be furnished upon application. Bidders will be required to state specifically in their bids the proposed price of each article offered for delivery under a contract, and the point or points it is proposed to deliver the articles. The right is reserved to reject any or all bids, or any part of any bid, if deemed for the best interest of the service. CERTIFIED CHECK—Each bid must be accompanied by a certified check or draft upon some United States depository or solvent National bank in the vicinity of the residence of the bidder, made payable to the order of the commissioner of Indian affairs, for at least 5 per cent of the amount of the proposal, which check or draft will be forfeited to the United States in case any bidder or bidders receiving an award shall fail to promptly execute a contract with good and sufficient sureties, otherwise to be returned to the bidder. Bids accompanied by cash in lieu of a certified check will not be considered. For further information apply to J. George Wright, United States Indian Agent.
M1d21tM

PROPOSALS FOR CURBING.

Sealed proposals will be received by the undersigned until 1:30 o'clock p. m., May 20th, 1892, for the following kinds of curbing material, viz:

Red Colorado sandstone.
White Colorado sandstone.
Berea sandstone.
All according to specifications.

For curbing parts of the following streets and alleys in the city of Omaha, comprised in street improvement districts Nos. 424, 425, 426, 427, 428, 430, 435, 442, 443 and 444, ordered improved by Ordinance No. 5012, and more particularly described as follows, viz:

No. 424—Leavenworth street from the west line of 16th street to the east line of 17th street.

No. 425—12th street from the south line of Jones street to the north line of Leavenworth street.

No. 426—Spencer street from Sherman avenue to 24th street.

No. 427—Lathrop street from Sherman avenue to 18th street.

No. 428—Burt street from the west line of 15th street to the east line of 16th street.

No. 430—Cass street from 22d street to 24th street.

No. 435—Izard street from 12th street to 14th street.

No. 442—Davenport street from 30th street to 40th street.

No. 443—40th street from the south line of Davenport street to Cuming street.

No. 444—Madison avenue from 14th street to Sherman avenue.

And

No. 450—St. Mary's avenue between the west line of 26th street and the east line of 27th street.

Each bid to specify a price per square yard for the paving complete on each street and avenue separately in said improvement districts.

Work to be done in accordance with plans and specifications on file in the office of the Board of Public Works.

Each proposal to be made on printed blanks furnished by the board, and to be accompanied by a certified check in the sum of $500, payable to the city of Omaha, as an evidence of good faith.

The board reserves the right to award the contract on all the said districts together or on each district separately, subject to the selection of the material by the property owners or mayor and city council, to reject any or all bids and to waive defects.

P. W. BIRKHAUSER,
Chairman of the Board of Public Works.
Omaha, Neb., May 5th, 1892.
May 5, 6, 12, 13, 14.

PROPOSALS FOR PAVING.

Sealed proposals will be received by the undersigned until 1:30 o'clock p. m., May 20, 1892, for Sioux Falls or other granite, class B, according to specifications on file in the office of the Board of Public Works.

For paving parts of the following streets and avenues in the city of Omaha, comprised in street improvement districts Nos. 423, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444 and 450, ordered improved by ordinance No. 5012, and more particularly described as follows, viz:

No. 423—6th street from the south line of Pierce street to the north line of Hickory street.

No. 424—Leavenworth street from the west line of 16th street to the east line of 17th street.

No. 425—12th street from the south line of Jones street to the north line of Leavenworth street.

No. 426—Spencer street from Sherman avenue to 24th street.

No. 427—Lathrop street from Sherman avenue to 18th street.

No. 428—Burt street from the west line of 15th street to the east line of 16th street.

No. 429—Spruce street from the west line of 22d street to the east line of 24th street.

No. 430—Cass street from 22d street to 24th street.

No. 431—Mason street from 20th street to 29th avenue.

No. 432—Mason street from the east line of 30th street to the east line of 31st street.

No. 433—32d street from the north line of Euclid place to the north line of Woolworth avenue.

No. 435—Parker street from 24th street to the east line of 29th street.

No. 437—Seward street from 24th street to 25th street.

No. 438—Chicago street from 22d street to 23d street.

No. 439—Caldwell street from 24th street to the west line of Shinn's addition.

No. 440—Sherman avenue from south line of Grand avenue to Fort street.

No. 441—39th street from Farnam street to the north line of Davenport street.

No. 442—Davenport street from 30th street to 40th street.

No. 443—40th street from the south line of Davenport street to Cuming street.

No. 444—Madison avenue from 14th street to Sherman avenue.

And

No. 450—St. Mary's avenue between the west line of 26th street and the east line of 27th street.

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The board reserves the right to award the contract on all the said districts together or on each district separately, subject to the selection of the material by the property owners or mayor and city council, to reject any or all bids and to waive defects.

P. W. BIRKHAUSER,
Chairman of the Board of Public Works.
Omaha, Neb., May 5th, 1892.
May 5, 6, 12, 13.

PROCLAMATION AND NOTICE.

I, George P. Bemis, mayor of the City of Omaha, do issue this, my proclamation, and by virtue of the authority vested in me as mayor of said city, and in compliance with the direction of the city council of said city by an ordinance of said city entitled:

"An ordinance calling a special election to vote upon the acceptance of the proposition of the Nebraska Central Railway company and the issuance of coupon bonds of the City of Omaha in the sum of $255,000.00 to aid the Nebraska Central Railway company in acquiring depot grounds, in the construction of a union railway and passenger depot and of other railway improvements upon said grounds, and to authorize a tax for the payment of the interest upon said bonds and to create a sinking fund for the payment of the principal thereof."

Approved May 10, 1892, do hereby proclaim and give public notice unto the electors of said city of Omaha that a special election will be held in said city at the respective places hereinafter designated on Tuesday, the 31st day of May, 1892, for the purpose of submitting to the electors of said city the question of accepting or refusing to accept the following proposition of the Nebraska Central Railway company hereinafter set forth at length, and of levying taxes to meet the principal and interest of the bonds named in said proposition:

The said proposition and the said question as to tax levies shall be regarded as one question and shall be submitted to said voters and voted upon in the form and manner following:

Shall the following proposition of the Nebraska Central Railway company be accepted by the city of Omaha, and shall an annual tax in addition to the usual and all other taxes be levied upon the taxable property of the city of Omaha sufficient to pay the interest on said bonds as it becomes due; and, at the time of levying the annual city taxes, commencing the tenth year prior to the maturity of said bonds, shall a tax, in addition to all other taxes, be levied upon the taxable property of said city of Omaha, and collected annually thereafter, from year to year, until thereby a sinking fund shall have been obtained sufficient to pay said bonds at the maturity thereof?

Proposition of the Nebraska Central Railway company to the city of Omaha, Neb., by the Mayor and City Council of the city of Omaha, Neb.:

The undersigned, the Nebraska Central Railway company, proposes to acquire and take possession of, for railway purposes, that certain tract of land located within the district bounded by Fifteenth street, Chicago street, Eleventh street, California street, and the right of way of the Omaha Belt Railway company, (except the south half of block 28, lots 3 and 4, block 28, lot 1, and the north half of lots 2 and 3, block 27); and to erect thereon a union passenger depot on the corner of Fifteenth and Chicago streets, to cost, including the other railway improvements on said grounds, not less than four hundred thousand dollars ($400,000); proof of such cost to be made by the sworn statement of the president and treasurer of said railway company, filed with the city clerk of Omaha, accompanied by certificate signed by the city attorney and city engineer, that in their opinion such amount has actually been expended.

Provided further, That if the said Nebraska Central Railway company, its successors or assigns, shall fail to acquire and take possession of said land, it shall not be entitled to receive any part of said one hundred thousand dollars ($100,000) installment of bonds; and, further provided, that none of said one hundred and fifty thousand dollars ($150,000) installment of bonds shall be delivered until at least one railway company in addition to the Nebraska Central Railway company shall be actually using said union depot; and,

Provided further, That the mayor and the city council shall, by resolution, upon the full performance of the undertakings on the part of said railway company herein contained, order the delivery of said bonds at the times aforesaid; and,

Provided further, That all matured coupons shall be removed and cancelled by said trustee before delivery of the bonds to which they are attached; and,

Provided further, That the mayor and city council of the city of Omaha shall cause to be levied on the taxable property of said city an annual tax sufficient for the payment of the interest on said coupon bonds as it becomes due, and after the expiration of ten (10) years from the date of said bonds the mayor and city council of said city shall cause to be levied in addition to all other taxes on the taxable property of said city an amount of tax sufficient to create a sinking fund for the payment at maturity of said bonds, (the amount of tax to be levied for such sinking fund not to exceed twenty-five thousand dollars ($25,000.00) in any one year); said tax to be continued from year to year until the said bonds are fully paid.

The acquirement of the said lands and improvements herein contemplated including the said railroad in Iowa, shall be begun within one year from May 1, 1892, and be pushed to completion without unnecessary delay; and shall be completed within three years from the 1st day of July, 1892.

In case any of the terms, limitations, conditions or provisions proposed herein relating to the beginning, progress and completion of said improvements are not complied with, (unless delay is directly and necessarily caused by injunction or other judicial proceedings, or by unavoidable accident or act of Providence), the said company shall not be entitled to receive said bonds or any thereof, even though the electors of said city of Omaha shall have by their vote authorized the issuance of said bonds; but all right to said bonds shall by such default and without any judicial determination become forfeited.

Provided, however, that if the beginning, progress or completion of said improvements shall be delayed or obstructed by any of the aforesaid causes, the times herein allowed for the progress and completion of said improvements shall be extended to the extent of such delay or obstruction; and should a dispute arise between the said city of Omaha and the said Nebraska Central Railway company with respect to the cause or extent of any such delay, the same at the election of said Nebraska Central Railway company, shall be referred for determination to a board of arbitrators, to be appointed as hereinafter provided.

In consideration of receiving the proposed subsidy the Nebraska Central Railway company agrees to allow all railway companies the following rights: The right to run their locomotives, passenger and freight trains over its main and passing tracts within the city of Omaha; and over its proposed bridge and approaches, the right to use such portion of its terminal grounds, depots and facilities as may be necessary and proper for the conduct of the business of such roads, including any enlargement of its depot and depot grounds; the right to have their cars switched and delivered by the Nebraska Central Railway company upon all of its switch tracks; the right to connect their roads at any point within one hundred (100) miles of said city of Omaha with any line of railway which the Nebraska Central Railway company, or its successors or assigns, may construct or cause to be constructed east of the Missouri river, and to run their locomotives, passenger and freight trains over the main and passing tracks of said railroad; it being hereby agreed that in case the Nebraska Central Railway company shall construct its proposed line east of the Missouri river, through the agency of any other corporation or party, it will cause such corporation or party to execute and deliver to the city of Omaha a good and sufficient instrument binding it or him to abide by the terms, conditions and provisions of this proposition, the same as the said Nebraska Central Railway company would have been bound if it had built the same. Before delivery of the aforesaid one hundred thousand dollars ($100,000) installment of bonds.

Provided, that the use and enjoyment by such railway companies of each and every of said rights shall be upon just and equal terms and the payment of just and fair compensation to the Nebraska Central Railway company, its successors or assigns, and subject to such operating rules and regulations of the Nebraska Central Railway company, its successors or assigns, as shall be necessary and proper, just and reasonable.

And the said Nebraska Central Railway company will submit any dispute arising between it and such other company or companies as to the use and enjoyment of any rights under this proposition, or as to the terms, compensation, operating rules and regulations, relating thereto, to a board of arbitrators, to be made up of three persons who are judges of the state district court, or its successor, of the district embracing the county of Douglas, to be selected by a two-thirds vote of all the persons who are district judges of said court.

Provided that any such railway company other than said Nebraska Central Railway company, its successors or assigns, shall have the election to submit any such dispute to arbitration or to pursue any other remedy.

Wherever arbitration is provided for by this proposition, the party desiring to submit any matter to arbitration shall cause to be served upon the other party a written notice which shall set out the matter in dispute to be submitted, and the time proposed for the hearing, which shall not be less than thirty (30) days after the time of service, and thereupon the adverse party shall within twenty (20) days after such service upon it, serve its answer, if any it have, upon the party demanding the arbitration.

The Board of Arbitrators, when organized, shall have power to fix the time of hearing and to adjourn the same from time to time, and to make all necessary rules and regulations for the production of testimony in the possession of either party, and otherwise to compel a fair and speedy trial; the decision of a majority of the board shall control and the final determination of the board shall be final and conclusive upon the parties, of all matters submitted and decided.

Wherever arbitrat on shall be resorted to such arbitration shall be the exclusive remedy of the parties (except as herein elsewhere provided), as to the matters and things involved and decided therein.

Said Nebraska Central Railway company, its successors and assigns, shall transport freight (including transfer of freight and all charges incidental to said transportation) over any bridge and approaches, as well as over any railway it shall construct within one hundred (100) miles of the Missouri river within the state of Nebraska, for just and reasonable rates or charges, and in case of differences as to what constitutes just and reasonable charges under this paragraph, the mayor and city council or said railway company may submit the same to arbitration in the manner and to the arbitrators above provided for, but this paragraph respecting freight charges shall not become operative or in force until five years from the date of the delivery of the last installment of the bonds hereinbefore referred to.

It is further proposed that said bonds shall be delivered to the Nebraska Central railway company, its successors or assigns, only upon the execution by the said Nebraska Central railway company or its successors, and delivery to the city of Omaha of an undertaking in writing to the effect that the principal depot of said railway company, its general offices and principal machine shops when built, shall be located and maintained within the corporate limits of the city of Omaha, and that a violation of the terms of said undertaking by the said Nebraska Central railway company or its successors or assigns, shall render the said Nebraska Central railway company, or its successors, indebted to the said city of Omaha in the full amount of said bonds, and interest thereon.

This proposition shall, after being duly acknowledged by the Nebraska Central Railway company, be recorded in the office of the register of deeds of Douglas county, Nebraska, and for a period of twenty (20) years from and after this date, shall be referred to by giving the book and page wherein the same is recorded in any mortgage, deed of trust, deed of conveyance, or lease of said depot and depot grounds, with the statement that the said Nebraska Central railway company, its successors and assigns, are bound by the terms, limitations, provisions and conditions of this proposition which are hereby made its covenants that attach to and run with the said property into whosoever hands it may come.

Provided, that the city council of the city of Omaha, (the mayor approving in due form) shall enact a certain ordinance (which at the date hereof, is pending consideration before said council), entitled, "An ordinance granting permission and authority to the Nebraska Central Railway company, its successors and assigns, to construct railroad tracks along, across, over and under certain streets and alleys in the city of Omaha, subject to certain conditions, and to vacate parts of certain streets and alleys in the city of Omaha, upon compliance with certain other conditions."

And it is also provided, That if said Nebraska Central Railway company shall not, within forty-five (45) days of being notified by the city clerk of the adoption of this proposition at the election held to vote upon the same, file with the said city clerk its written ratification of this proposition under its corporate seal, none of said bonds shall be issued, and all the terms and provisions of this proposition shall be held for naught.

The Nebraska Central Railway company agrees before an election being called to submit to the voters of the city of Omaha this proposition, that it will execute and deliver to said city a bond with good and sufficient sure