CONCLUSIONS OF A SPECIAL COMMISSION

Relations of Street Railways to Cities and Towns Thoroughly Discussed\_Private Ownership of Cars Favored.

Street railways and their relations to citics and towns are pretty thoroughly discussed in the report of a special commission appointed by the legislature of Massachusetts last year to look into that subject. The substance of the report printed by the Boston Transcript points out the difference in the character and development of the street railway as contrasted with the steam railroad, showing that the probleme of the latter are those of the private right of way, while those of street railways are altogether those of the public thoroughfare in use by vehicles of divers private owners. Two bills are submitted, one providing that cities and towns shall construct, own and keep in re-pair the street car tracks like may other part of the public streets or highways, with provisions that the cars of all companies may run upon the tracks after the companies have obtained permits from the proper authorities. No authority is given for cities and towns to own or operate care over their tracks. The other bill provides

for a tax on the street rallways. One section provides that the returns of street rallway companies to the tax commissioners shall contain a sworn statement by the treasurer of the company giving the length of the tracks operated by the com-pany in each city and town in the state on the 30th of September next preceding the teturn. All tracks, sidings and turnouts, whether owned or leased, or over which the company has trackage rights, must be measured as single track. The return must also contain the treasurer's sworn statement of the capital stock of the company, and the amount of dividends paid thereon during the year ending on the preceding September 30, and for each year from the organization of the company.

Another section provides that when the company's dividends have aggregated an excess of 8 per cent of its capital stock the company shall pay to the state, for each such year, a tax equal to the amount of such excess, in addition to the tax upon its corporate franchise; but no company is to dividends from year to year equal to 6 per cent per annum on its capital stock.

Section 4 provides that before November 1 of each year the tax commissioner shall apportion the tax for which each street railway company is now Hable under chapter 13 of the Public Statutes and under the treceding section to the cities and towns only which have street railway tracks it their public ways in proportion to length of track operated in those cities and towns respectively. The tax commissioner shall notify the treasurers of every such city and town of the share of the tax so apportioned, and he shall also certify to the state treasurer the shares thus appor-tioned as family determined, in case of ap-

## THE MATTER OF TAXATION.

It is provided that on or before the flist day of November in each year the assessors of every city and town in which any street rellways are operated shall assess on each company operating such railways therein tax of an amount equal to such pro-of the following percentages of the receipts of such company as the length of tracks operated by it in such city or town bears to the total length of tracks operated

In case of companies whose annual gross receipts per mile of track operated are \$7,000 or less, 2 per cent of the total annual gross receipts; in case of companies whose annual gross receipts per mile of track operated are more than \$7,000 and less than \$14,000, 214 per cent of the total annual gross recepts; in case of companies whose annual gross receipts per mile of track operated are more than \$14,000 and less than \$21,000, 2½ per cent of the total gross re-ceipts; in case of companies whose annual gross receipts per mile of track operated are more than \$21,000 and less than \$28,000, 2% per cent of the total annual gross receipts; and in case of companies whose annual receipts per mile of track operated are \$28,000 or more, 3 per cent of the tota annual gross receipts.

As to taxation, mentioning their sugges tion that street railway companies share the cost of paving or removal of snow and ice and of street widenings, the committee continues:

The changes recommended by the committee are in main part commutations of burdens already imposed from payment by work to payment in money; the present proposition is of a different nature. looks to the imposition on street railway compenies of a special franchise tax. idea of such a tax is not new. The of a preposed act providing for one specially referred for consideration to rapid transit commission of 1892 \* The committee concurs in the general conclusions on this subject reached by the rapid transit commission.

"The system of taxatico of corporate fran-chises in use in Massachusetts is well defined, and, in general, works satisfactorily All corporations, including siccet railway cor porations, pay to the state their propor-tionate share of the general taxes, according to the market value of their capital stock, which is perhaps the best index of their ability to contribute. The distribution of this tax is a distinct question, and, so far as the street railways are extremed, has already been discussed. It is a well recognized principle in the treatment of street railway and other public service cocporations in Europe as well as elsewhere, to provide that, after the owners and organizers have received reasonable return upon their enterprise an investment, any excess of profits over an above a fixed amount should in part be pail to the government in the unture of a franchise tax. This principle commends itself to the committee. It is not subject to the criticism, which appears to be sound, that a limitation of dividends hampers enterprise and improve-

## DUTIES AND RESPONSIBILITIES.

The report takes up the complaint, on one hand, in behalf of the public, that too great privileges with too few respons willies have been given to the railway corporations, and on the other, the complaint of the corpora-tions that they are insufficiently protected against the public. They conclude that the matter is one of local concern in the main The municipalities must judge of the uswhich they will permit to be made of their thoroughfares; the corporations must judge whether they will accept the grants of loca-tion with the degree of protection which is afforded. It is not for the commonwealth to prescribe the terms on either side.

The commissioners say that the capitalization per mile in stocks and bonds is about the same in Massachusetts as it is in England, though not a third of what it is in New York, not a half of what it is in Pennsylvania, and just about half what it averages to be in the United States. They continue as follows: "While in the business of operating street railways, as in every other business, there are—as, within reasonable limits, there should be—exceptional cases of large profit, offsetting cases of failure to earn reasonable profits, yet the idea some-times entertained that the electric railway is likely to prove a source of extraordinary or abnormal profit must be abandoned. is a close business, yielding, with skillful and prudent management, only a fair average return, quite within the limit allowed by statute and conservative opinion as adequate and proper for investments of this

STREET RAILWAY TRACKS

cities and towns assume the complete control of their streets, it was important to ascertain in what way they would be affected financially. In order to find this out fifty roads, which in 1896 had been in operation more than a year, were taken, and the corporation taxes of 1896 distributed as suggested, and the commutation tax also determined and distributed. As a result of this seventy-two cities and towns show an ncrease of more than \$500 over the amount received under the present plan. Twenty three cities and towns show that they would suffer a decrease of more than \$500 under the new plan; but the cities and towns which show large decreases are mainly those in which there is little or no street railway track, but which chance to be the residence of large holders of street railway stock. Many of the towns which show a loss have, since the period covered by these figures, had railways built within their limits, and consequently would, under the proposed act, receive amounts from these new roads, and many others would receive increased amounts due to increase of business.

### ASSESSING BENEFITS

Part of the report concluts of a discussion of street widening where it is of benefit to street railway corporations, and a state-ment of the reasons why a part of the expense should be assessed upon the corpora-tions, as provided for by the committee in

Taking up next the question of street rail-

ownership, the report says:
"Even should it be continued indefinitely the committee is clearly of opinion that it would be conducive to a better state of affairs were the municipalities to assume full control of the streets, meeting all charges for paving and for street cleaning. and receiving therefor from the companies a net annual money payment in lieu of work in kind."

The committee prefers, instead of private ownership, a system known somewhat in Great Britain, but better known in Germany—"a system under which the municipality both owers and controls the whole surface of its streets, whether paved with other material or with iron, and leases to a private company the right to run vehi-cles over prescribed routes on tracks there-

in specially provided."
"The ultimate full control of the street, and exclusive ownership and whatever may be part of its surface by the municipality, is, it may be said, now accepted in European countries as a fundamental prin-ciple of polity. In the judgment of the committee this principle is correct, and could be advantageously incorporated into Massachusetts practice me applying to all treet railway companies hereafter organized and locations granted."

The report denies that European experiments in municipal control of street ral-ways have been demonstrated to be suc-cessful, and says: "So far from being a demonstrated success, it may, on the conperpendic franchise; but no company is demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may, on the obliged to pay this excess tax if it has demonstrated success, it may that the obliged to pay this excess tax if it has demonstrated success, it may that the obliged to pay this excess tax if it has demonstrated success, it may that the obliged to pay this excess tax if it has demonstrated success. any logical and ultimate results whatever, nor can it be so worked out for at least a score of years to come. The committee has not felt called upon to attempt a solution of this problem.

### GEN. COWIN OPPOSES ANNEXATION. Talks in St. Louis on Hawaii and

Cuban Affairs. In the St. Louis Republic of Sunday the following, which will be of great interest to the general's Nebraska friends, appears:

the general's Nebraska friends, appears:
General John C. Cowin of Omaha was at the Southern yesterday. He is special counsel for the government in the Pacific railroad cases and one of the leading corporation lawyers in the west. He has decided views on the Cuban and Hawaii questions and they are made doubly interesting because he was offered the cabinet position of attorney general, but refused. They show we here he would have stood had he accepted and would now have been a member of the president's official family.

"I am bitterly opposed to the accretion of I am bitterly opposed to the accretion of the territory," said General Cowin, "W

"I am bitterly opposed to the accretion of new territory," said General Cowin. "We have all we want to do to take care of ourselves now, and I cannot see where we would be benefited by annexing new territory. People talk of war with Spain over Cuba. What do we want war for? For Cuba. I have been through one war and I do not care for another one. The people who clamor for war do not know what it means.

"There is a world of sympathy arous "There is a world of sympathy arouse over Cubans and their battles for liberty I, as well as every other liberty-loving mar in the world, pray that the Cubans will be successful, as they doubt cas will, but I do not believe in interfering. Here in the United States we have clizens, wards of the government, which we have sworn to protect and have made treaties to this effect, but they are being burned at the stake and no particular notice is taken of it in the country.

rect, but they are being burned at the stake and no particular notice is taken of it in the country.

"Suppose the Spaniards had burned some Cuban at the stake? The country would have been electrified with horror; men would have been electrified with horror; men papers would have thundered for the government to interfere, but it was not done in the case of the poor Indians, Down in Pennsylvania deputies shot into a fleeing nob, if we are to believe the new-papers, and yet no particular notice was taken if it in this country. Suppose this would now bappened in Cuba, shooting men in he back? There would have been a wave if indignation sweep over the entire country, from coast to coust, and from the Guifo the British possessions. "I believe in letting the Cubans work out heir awn destiny. They have started this are once in this country and we fought it ut among ourselves, and are today the applest and most contented people on the toe of the globe, with no animosities and o bitterness existing in any section of the suntry.

bitterness existing in any section of the

I am aware that there is considerable "I am aware that there is considerable seing on the Hawaiian question. What o we want with those islands? I cannot se where they would be of material benefit of us, and for this reason I am opposed the annexation. I believe that if we mange what we have and keep to ourselves at we will be better off and be doing positive a good turn and one that will be purposlated."

perceiated."
General Cowin expressed himself in strong and emphatic terms on the De Lome letter and said that the government of Spain hould be compelled to state whether or not indorsed the sentiments expressed by De one in his letter.

## Arranging the Posts flee

Assistant Postmester Woodard, Mr. Lat-nser and some heads of departments are arranging furniture about the new postoffice building. Wire screens will be put up
to separate the carriers' department from
the stamp, money order and out-of-town
departments. Postmaster Martin is in receipt of a telegram from Washington stating that the new building will not be ready
for occupancy until the 28th. However, he
has received nutbority to move in when he
sees fit and the removal will take place
the 22d, as originally planned.
The ventilating system in the new building is so perfect and so unique that it is
attracting wideopread attention. Last
week all the students from Creighton
Medical school were over to inspect the new
system, and the students of the Omaha
Medical college are to pay a visit for the
same purpose next Wednesday.

# Tel Jed Sokol's Ball.

At the last annual ball of the Tel Jed Sokol over 100 persons appeared in different many hardsome costumes were in evidence. The first prize for handsomest costume was awarded to Miss Barbara Kaufman. It consisted of a silver tea set. The second prize went to Mrs. B. Slama. The third prize for men was captured by Anton Novak. Fourth prize, consisting of a silk umbrella, was given to Frank J. Flata. Fifth prize, silver shaving cup, went to Joe Mik. The committee having charge of the affair consisted of J. V. Masek, Joseph Kalelk. Frank Jelon, B. Slama, John Wzerzan and Joseph Mik. many handsome costumes were in evide

## St. Valentine's Mail.

The amount of mail received at the posoffice yesterday shows that the custom sending volentines is being adhered to. No residence carriers can make full deliveries today. All three-trip carriers have abandoned one trip and five-trip carriers had to give up one morning trip, making two full after-noon deliveries. Mr. Latey, manager of the carriers, says there is no way of telling the exact number of letters, but that at a rough guess he would say they had bandled a ton

## WAIVERS BEFORE THE COURT

IMPORTANT FEATURE OF THE BARTLEY CASE

State Undertaking to Show Consent of Sureties in Alleged Irregularities in Regard to the

way development through regulated private ernor Holcomb. The latter was on the stand but a rhort time before the noon recess and was recalled this afternoon. The waivers are two in number, one of them being signed by C. C. McNish and the other by the remainder of the original bondsmen. The latter

is as follows:

We, N. S. Harwood, F. M. Cook, A. B. Clark, John H. Ames, Mary Flizgerald, E. J. Flizgerald, Charles A. Hanna, each of us having signed the bond of Joseph S. Bartley as state treasurer of the state of Nebraska, do hereby consent and agree that any and all additional names that he may procure on said bond shall in no manner affect my liability on said bond and that each of us are held liable the same as if said names had not been added. January—, 1895.

The waiver signed by McNish is similar

The waiver signed by McNish is similar with the exception that the date January 7, 1895, is inserted. These two waivers are to work a two-fold purpose for the state. By them the state hopes to throw down the contention of the defendants that the bond was invalidated by the fact that Governor Hol-comb did not approve the bond on the date fixed by law, it being held that the waivers showed that the bondsmen knew of this failure and waived the illegality. The waivers are also to controvert another defense that the original bondsmen never agreed to the addition of names to the bond. In connection with the latter defense the bondsmen are striving to show that the waivers were not secured until after the additional names were secured and that therefore they have no legal worth.

DARNELL'S TESTIMONY.

The state recalled Thomas F, Darnell, who testified Wednesday, to the stand. He said that he had seen the bond in the governor's office on Monday, January 7, after which Bartley brought it to this city to get more signatures. On cross-examination he stated that he did not know whether the bond had ever been in Governor Holcomb's possession until January 9. He had not been posi-tive on this point before. It was also brought out that he and Bartley had talked of bringing mandamus proceedings to compel the governor to approve the bond before January 7, but no papers were ever drawn up.

C. C. MeNish, one of the bondsmen, was called to the stand by Attorney General Smyth. He testified that he was a practicing

When did you receive that paper, Mr. McNish," was asked by General Cowin on cross-examination,

"Either on January 6 or January 7. General Cowin then endeavored to Intro luce through the witness a letter which ac companied the waiver. The state objected o this and was sustained. In a swer General Cowin said that notice had been served on McNish to produce in court the very dentical letter-the one that had been sent y Darnell to McNish, and which the state ast week had been anxious to have in court. The court held, however, it was not prope to introduce the letter at the time. "What time did you mail this paper from Visner?" then asked the attorney for the

"On the afternoon of January 7, 1895." was

IMPORTANCE OF THE WAIVER

The testimony goes to the root of the concuses is that the bondsmen d.d not agree to permit the addition of signatures to the onds. The st te is seeking to overthrow his defense by means of the waivers. Ac-ording to the evidence of other witnesses, however. Bartley came to this city on Jan-uary 7, 1895, to get the additional signatures. According to McNish's testimony he did not of that day and therefore Bartley did not

have it when he came to Omaha.

J. S. Kirkpatrick, the attorney
Lincoln, who has bobbed up
the case chiefly because of so connection with Governor Holcomb as a relative, wes next called by the state. He was used to show that the signatures to the waivers had been secured before January 1895, the day Bartley came to Omaha.

The witness said that Attorney Darnell, is partner, was engaged on January 5 and believed to the best of his recollect that these signatures were secured on Janu iry 6. Witness Kirkpatrick also stated that on Friday, January 5, he was present in the governor's conversation was that he had made up his mind that a waiver should be signed by the original bondsmen before additional signatures were secured. Bartley agreed obtain these waivers. On cross-examination the defense sought

break down the witness' testimony he had seen the signed waivers on Janu ry 5. "Do you know whether E. E. Brown whose signature appears on the waiver, was n Lincoln on that day?" was asked.

"I am not positive." that date, is not this signature a forgery? "I do not know." "Will you awear positively that the signa-

ture was on that paper when you saw I January 5?" DEFENSE MEETS A SNAG "To the best of my recollection it was." The deferme sought to get the witness to answer yes or no to the last question, but failed. The same questions were put to the witness in connection with every other name

on the waiver and the same answers were

'You were Governor Holcomb's attorney at the time, were you not?" finally exclaimed General Cowin.

"Well, not on that matter," slowly responded the witness. You were very intimate with the gov ernor, were you not?"
"Yes, quite intimate."

"You were his general adviser in the distribution of patronage, weren't you?" "Not that anybody knows of," was the re-The attorney general jumped up with an

Governor Holcomb was next called to he stand. He identified the bond, the waivers Will Stewart a neare farm hand from and the qualifications of the bondsmen. He Blair, who indulged in a little dissipation in testified that he had had several conversa-tions with Battley and Attorney Darnell about the bond. Attorney General Smyth asked him to give the substance of these

Papers Signed by Bondsmen at Instance of
Principal in Dispute.

The day on which his second term began and on the day the law required the bond to be filed and approved. A convers tion occurred at the time, in which Governor Holcomb told Bartley that he did not have time to examine the bond. On the following day the governor told dartley that the bond was not make the second term began and on the day on which his second term began and on the day on sufficient and that additional sureties would be required. Bartley said he did not believe he could get additional signatures in Lin coln, but thought he could in G. aha. The governor told Bartley he would require the consent of the original bondsmen to the ad-dition of signatures before he would accept

the bond. Upon that, the form of the waiver was presented to the governor and he ex-pressed himself as saliafied with it. The

great importance in the prosecution of the attorney general. Three witnesses were active in connection with the matter—Thomas called in connection with the matter—Thomas of the had received a communication from McNish, waiving the addition of signatures. F. Darnell, the attorney for Bartley; J. S. Kirkpatrick, his partner and one of the attorneys for Governor Holcomb, end Governor Holcomb. The latter was on the stand but a short time before the noon recess and was recalled this afternoon. The waivers fore the additional signatures were secured, but it was sought through the governor to show that McNish had indicated his consent to the additional surface of the governor to that the preparations will begin within a to \$500. That last standard will probably introduce a resolution tonight resoluti

> Holcomb insisted it was the same bond, and cludes almost 20,000 yards from the viaduct General Cowin was as insistent in his ques-to Vinton street. General Cowin was as insistent in his ques-tions that the three additional names made it a different bond. Finally, Attorney General Smyth objected to the questions with some heat, saying they were "all bun-combe." The court rebuked him for the expression, but incisted that General Cowlea should not question further along that line. Governor Holcomb asserted that he did not reject the bond on January 3, but took it with him that night to his hotel and commenced to examine it. He insleted, too, that he retained possession of the bond until Menday, January 7, when Hartley handed to him the waivers signed by all the original bonds-men except McNish. He was very certain that he did not return the bond until he had seen the signed waivers. The governor also denied that he had ever refused to approve the bond without additional signatures, but had elmply said that he wanted additional signatures and Bartley or Attorney Darnell had agreed to get them.
> "At the former trial of this case, did yo

not testify that you returned the bond to Bartley on Friday or Saturday, January 4 or 5?" then demanded General Cowin, reading from the trarecript of the first trial. "I think I did," was the answer.

"When did you first see the signed waiv-"It may have been on Saturday evening January 5, but I think it was on Monday morning, January 7," answered the governor. WHAT HE WAS AFTER.

The purpose of this questioning was Smyth. He testified that he was a practicing attorney in Wisner in January, 1895, and at that time was acquainted with Joseph S. Barticy. After these preliminaries he was handed the waiver signed by himself and asked if he had seen it before. He answered in the affirmative and said further in answer in the affirmative and said further in answer to a question that he had sent it by mall to over to Bartley before the waivers were delivered he might have secured the addi-tional signatures before the waivers were The latter condition supports the that the additional bondsmen were signed. ecured before the original boncamen gave their consent

Holcomb as he did Witness Kirkpatrick, asking him if he would swear positively that all the signatures of the original bandsnen were on the bond when he saw it. Gov ernor Holcomb would only say that to the best of his recollection all the signatures were on the bond then,

"How is it, governor, that you said at the last trial that you returned the bond on Saturday and now say it was on Monday asked Attorney General Smyth on redirect xamin tion. Governor Holcomb explained that he had

een mixed up on his dates at that time, out he had thought considerably of the mater since and had refreshed his memory unil he was satisfied that it was Monday "Was not your memory refreshed by other persons?" asked General Cowin.

"Yes, partially," was the answer. In response to the questions of the orney general, the governor stated that he bondsmen. McNish was out of the city at against the instructor and will incidentally the time and was to sign a separate waiver. This completed the examination of the govruss completed the examination of the governor and he was excused. He had been on the stand for an hour and three-quarters.

Attorney General Smyth then demanded that C. C. McNish produce the letter which attorney Darnell wrote McNish in regard to his signing the waiver and in which the labor than is usually contemplated in public blank form of the waiver was included. Gen-works. This allegation has been taken adcoll Cowin insisted that McNish should be called as a witness and as such should produce the letter in order that he might be cross-examined. Attorney General Empth by the wards work and the service of the board receive mechanic's pay. It is now proposed to make the scale ments of the case have been made by the ats partner, was engaged on January 5 and cross-examined. Attorney General (myth pay It is now proposed to make the scale ments of the case have been made by the in getting signatures to the waivers and maintained that he was not certain that he \$1.60 for eight hours work. This is a slight attorneys for the state and for the defend wished to introduce the letter in evidence, advance on the union scale of wages and i but wanted to examine it before m king up is asserted that the extra 10 cents a day will his mind. The notice served on McNish to be sufficient to keep the force a little above on Friday, January 5, he was present in the produce the letter stated that it was for the average of similar employment, governor's office with Bartley. Dornell and the purpose of being used in evidence. Con-Another advantage of this idea, which is Governor Holcomb. The substance of the siderable argument by the counsel followed. Not lost sight of by members of the bard. Finally General Cowin handed the letter to

the court. SUPPENDS THE LETTER. "What is the court expected to do in th matter?" asked Judge Powell finally. He decided that he could not compel the atthat | torney general to introduce the letter would not allow him to introduce any sec ondary evidence to show the contents of the otter. He also determined that he could not force the defense to hand the letter to the state for examination.

Attorney General Smyth offered in ev Actorney treated and qualifications The celebration of St. Valentine's of the suretien. Almost all the evidence so day was a feature of the pubfar offered has been in connection with these instruments, but they have not been read t the jury and the latter does not know what of the sureties. General Cowin insisted that the verifications are no part of the bond. The question was argued at length by the given. The witness positively refused to tes- attorneys, and Judge Powell decided to admit tify to anything except according to his best all the documents in evidence, including the indorsements showing the filing and proval of the bond. This concluded afternoon's proceedings, a recess being taken

Sarah Lane has asked the courts to divorce her from her husband, Arthur Lane, whom she charges with cruelty. She also asks for alimony to assist in the support of herself and child. In addition to this, she has asked for and has secured an injunction that pre-vents the husband from removing their household furniture from the building now occupied by Mrs. Lane. occupied by Mrs. Lane.

Extends His Omahn Residence.

Omaha last Thursday night, and was given command last Thursday right, and was given about the bond. Attorney General Smyth asked him to give the substance of these conversations, but the giving of this tectimicing was postponed until afternoon.

HOLCOMB TELLS THE STORY.

At the afternoon session Governor Holcomb testified that Bartley had handed to

# him his bond, together with the justifications of the sureties, on January 3, 1895, the PAVING ON NEW CONTRACTS

CAMPAIGN TO OPEN EARLY THIS SPRING

City Engineer Rosewater Proposes to Stir Up the Contractors to Efforts Unusual in the Line

The sult against the bondsmen of ex-State Treasurer Bartley, which was postponed last Wednesday on account of the absence of General Gowin of the counsel for the defense, was resumed yesterday morning before Judge Powell.

The fight is now being fought over the fight is now being fought over the fight was now on the exempt with the fight is now being fought over the fought is now for the fight is n sent to the additional sureties before he signed the waiver and before the signed the waiver and before the signatures were obtained. An objection of the defense to this testimory, however, was sustained.

IDENTITY OF THE BOND.

On cross-examination General Cowin took

On cross-exam On cross-examination General Cowin took the governor to task for swearing that the bond he had seen on January 3 was the same as the one in court, the point being that at the time the names of the three Omaha sureties were not on it. Governor that at the time the names of the three Omaha sureties were not on it. Governor that are the time the name of the three of three of three of three of the three of three of the th

Here are the districts which are already scheduled for paying or repaying at the beginning of the season. Sixteenth street. Pierce to Vinton and Howard to Leavenworth; Twenty-fourth street, Patrick avocue to Lake; Farnam street, Thirty-sixth to For-tieth and the uncompleted north half cast of Thirty-gixth street; Wirt street, Sherman avenue to Twenty-fourth; Sherman avenue, Locust to Wirt; Twenty-fifth street, Cuming to Indiana avenue; Twenty-sixth avenue Half Howard to St. Mary's avenue; Dodge Sixteenth to Seventeenth; Hickory, Twenty-eighth to Twenty-ninth; Thirty-third, Leavenworth to Mason; Half Howard, Thirty-sixth to Thirty-eighth; intersections of Eighteenth street with Dodge, Davenport, Chicago, Cass and California.

### ECONOMY IN THE PUBLIC SCHOOLS. Kiewit's Resolution Will Hardly Be

Passed by the Board. It is generally conceded by members of

the Board of Education that retrenchment. as outlined by the resolution introduced by Mr. Klewit a week ago, will scarcely be approved by a majority of the board. It is admitted that Superintendent Pearse is correet in saying that since there are 1,200 pupils to be taught in the High school nothog can be saved by refusing to teach French r Latin to a certain proportion of them, and teaching something eige instead. The sug-gestion to abolish music and drawing in all the schools has been debated with more or less emphasis every year, and there is no reason to expect that the result will be different in this case. The members take the position that the expense of these departments is so small in proportion to the bene- ported at the health office during the twentyhimself, does not insist that his resolution suggests the best possible policy. He says that it may develop on investigation that his resolution would not accomplish exactly what he is after, and if any one can suggest a more satisfactory method he is willing to en-General Cowin then attacked Governor dorse it. He only contends that some meas-lolcomb as he did Witness Kirkpatrick, urcs must be taken to reduce the expenditures of the board. The manner in which the principle of retrenchment can be best applied without injury to the schools is the point which he wishes to bring out, and it was for this purpose that the resolution was

introduced. While no official action has been taken the board, it is very probable that some ad ditional ide:s on the subject of economy suggested at the next meeting. ing that is pretty sure to happen 's the abolition of the High school commercial de-partment, which has always been opposed by some of the members. It is contended that this department has never proved a valuable adjunct to the school. As at present conducted, it has been the subject of numerous complaints and the High school committee has very recently conducted as investigation, which goes to show that it is lacking in discipline and efficiency. The knew McNish's name was not to be at abolition of the department will be a very tached to the waiver signed by the original casy way to dispose of the present charges

is that it may be expected to do away with some of the pressure that is continually brought to bear by men who want to draw mechanic's pay for laborer's services. The extremely high wages paid by the board have operated to keep the members besieged by hundreds of men who want to share the snap and in some cases the pressure has amounted to a nuisance. It is believed that If the scale is reduced some of this inconvenience will be done away with, but thit no difficulty will remain in getting all the men Officer Tiedeman and the wounding of Officer Tiedeman and the w who may be required.

## Valentine Day at School.

schools yesterday, and there are few pupils who will not carry home a defense objected to the introduction of the decuments, and especially the verifications of the sureties. General Cowin is a second of the sureties. is made a feature in nearly every room. Suge box is placed conveniently near entrance and each pupil is allowed to drop his or her contribution in the box as they arrive in the morning. The valentines are subsequently distributed and care is usually taken by the teachers to see that none of the only \$1.220 of the \$2.751 he supposed he had children are entirely neglected in the distri-bution of the lavors of the day. In the to make their own valentines and some very pretty effects are produced by their chubby ingers. The same observance of the day alloyed pleasure to the smaller pupils and not a few of the older ones. Needs a Pest House.

Health Commissioner Spalding will address communication to the committee on public

county commissioners would very likely con-sent to allow the city a site for the hospital

eibly yellow fever did not develop. In that case the health department would be absolutely powerless to isolate the patient promptly and a serious epidemic might fol-Improvements to Be Fushed to Completion
Without Delay.

Promptly and a serious epidemic might that low. He considers it very important that some provision should be made to meet such an emergency and will make a vigorous effort to induce the council to see it his way.

### COMMITTEE LAYS OUT SOME WORK. Barbers' Ordinance May Be Passed.

Clenn Streets in Prospect. The city council decided to pass the barbera' ordinance. This measure proposes to regulate the business and prevent incompe-

to \$500. That last storm was a knockdown argument against the economic policy of the council, and the members now admit that

ordinance passed last week is expected to-night. The job pays \$75 a month and there are quite a number of lively candidates. A number of Ninth ward politicians are push-ing Harry Cowderoy and the Sixth ward push is performing the same office for John Car-naby. Tom Pieronett of the Fifth ward is an active candidate. He was on the police force years ago and after that was a con-ductor on the Union Pacific railroad. Some of the councilmen wanted George Hurst on of the councilmen wanted George Huist on account of his experience in the office, but Hurst has a pretty good position at the Union Pacific shops and has declined to put in an application. There are several outside candidates, but it is expected that one of those named will be selected.

### Executive Conference Called. A special and exclusively secret meeting

of the city council has been called in committee room B this afternoon and an invitation to be present has been extended to the heads of departments, but this conveys no intimation of the purpose of the conclave. It is understood, however, that the meeting is in deference to the dissatisfaction manifested by the heads of departments because they were not consulted in regard to the annual levy. The levy was agreed on in executive session, contrary to all previous procedents, and since then there has been not a little vigorous kicking on the part of several officials because they were not given an opportunity to present the necessities of an opportunity to present the necessities of their departments before the levy was deelded on. It is admitted that since the levy has been made the courtesy is somewhat de-licquent, but it is suggested that the conference can do no harm and that by talking the situation over some arrangements may be agreed on that may operate to diminish the hardship to which one or two depart-ments are subjected by the diminution of the appropriations.

### Mortality Statistics. The following births and deaths were re-

hours ending at noon yesterday Births-George Forst, 1148 North eenth street, boy: E. Eckstrand, 2016 Castellar, girl; Alfred Johnson, 2009 Dorcas, girl Walter Brandes, 1108 South Eleventh, girl Deaths-Howard C. Wiberg, 2 months, 8 both Twenty-second, Forest Lawn; Cathe ine Kitchen, 92, 206 South Thirty-second the department. Mr. Solomon is an old resi-avenue, Prespect Hill: Mrs. Bertha Clark, 21. dent of the county, having been here about 750 Leavenworth, lung disease, Holy Sepul thirry years. At the present time he fives in the Sixth ward. He and his brother conduct

# JURY TO TRY AUGUST KASTNER

Statements Made. H. M. HUNTER, farmer, Eikhorn CHARLES S. CARPENTER, traveling alegman, 4505 Hamilton street. HENRY OWENS, laborer, South Omaha.

JOHN ANDERSON, shoemaker, 2033 Chi THOMAS BALLERTON, grocer, 1865 Chiago street. PHILIP CULP, farmer, Elk City. FRED NELSON, butcher, 631 Charles HENRY R. ROBERTS, Pullman company JOHN TIMPERLY, farmer, Jefferson pre-

HENRY HUTCHINSON, street railway nploye, 1317 Webster street, CHARLES MORTENSON, woodworker, 17 Franklin street. GEORGE LODGE, Union Pacific engineer. 620 South Sixteenth street.

The foregoing are the twelve jurors who will listen to the testimony and the arguments and then decide upon the guilt or innocence of August Kastner, who is on trial in the criminal court on the charge of and everything is ready for the introduction of testimony. During the trial, it is likely that the court will make an order allowing the jury to visit and inspect the Nelson remises, where the crime was committee resecution, County Attorney Baldrige said that he expected to bring home to the de-feedant the commission of the crime. This he said would be done by circumstantial and direct testimony. One witness, at le would be sworn, who would identify the fendant as the man who shot and wounded

In stating the case for the defendant cer Glover, it was so dark at the place where the shooting occurred that a man could not distinguish an object three feet distant. In addition to this, he said that he expected to prove that at the time of the shooting, August Kastner was at home in bed and that he and his father and brother had been there all the evening.

Gladish Files a New Petition. In the case of William Gladish against the Omaha National bank, the plaintiff has filed an amended petition, in which he alleges that during the fall and summer of 1894 he was in possession of a compartment the safety deposit vanits of the bank. bution of the lavers of the day. In the in the box for safe keeping. He further kindergartens the little tom are encouraged says that while both the bank officials and his wife had keys, neither could open the plaintiff asks for judgment against the bank

> Mrs. Hattle Hagan, living on thirteenth street, attended a half at sler's hall in company with her hus-

band Sunday night and while there Mr. a communication to the committee on public property and buildings of the city council colling its attention to the necessity for a pest house during the summer. His idea is that some old building might be secured and placed in sufficient repair for the purpose at a very slight expense and that the county commissioners would very likely consecut to allow the city a site for the hospital scat to allow the city a site for the hospital somewhere on the county poor farm.

Dr. Spalding contends that with the influx of visitors during the exposition it would be surprising if some cases of smallpox or possing way. About this line an officer cannot be pass and fearing that Mrs. Hagan's conclude might arouse the sleepers on either side of the street, placed her under arrest for disorderly conduct. Mrs. Hagan pleaded not guilty to the charge and a hear-line was set for a later date.

Dragnet Catches a Bunch of Tough Third Ward Weman.

POLICE GATHER IN TEN NOTORIOUS WOMEN

Another Effort to Punish the Thieves Who Boldly Rob Strangers and Laugh at Police

read. When sternly called back they merely paused in waiking to their scats and ple ded "not guilty" to the charges. A few minutes later a colored attorney, who is in the habit of taking charge of this character of police court business appeared on the scene and signed bonds for the appearance of the

women Wednesday at 2 o'clock.

Pete Webb and Stella Knox will be held for purposes of identification before admitted for purposes of identification before admitted to bond. They are supposed to be the women who held up Mike Hirschman, a driver for Porter Brothers & Co., near the corner of Thirteenth and Capitol avenue. Sunday night. Hirschman reported to the police that shortly after 11 o'clock he was passing the inter-section of the two streets, when a strange-colored woman came out from behind a building and after calling him as a Wardian. building and after calling him an affection-ate name threw her arms about his neck. He struggled to rid himself of her embrace. He struggled to rid himself of her embrace, but before he had progressed very far in this direction, a second woman ran out and also began to hug him. Hirschman is vaguely of the opinion that there were several other negro women mixed up in the deal, but is positive that while it was soing on, and before he could call an officer, that one of them ran her hand into his trousers pocket and took therefrom a pocketbook containing \$12. As soon as this was accomplished the women vanished as suddenly as they had appeared.

The police say that it is almost an impos-

the police, they are again in evidence. One of the we st features in connect on with these women is the fact that being amboldened by their many acquittals, they now treat the police Judge and his court in open contempt and many of the proceedings in which they

### take part are little more than a farce. COUNTY COMMISSIONERS' MEETING.

B. C. Smith's Resignation Accepted and Some Resolutions Referred. At a meeting of the Board of County Commissioners, B. C. Smith, head clerk in the tax department of the county, presented his resignation, the same to take effect thirty lays hence. This resignation was accented and E. G. Solomon appointed to fill the vacancy, his pay to begin upon the date of Smith's leaving the office. Solomon agrees to come into the office and work without pay for the period of thirty days in order to familiarize himself with the requirements of

large vineyard and fruit farm in West Omaha precinct. A resolution providing that the sum of \$13,382 the amount of money remaining in the permanent read fund, be expended on on extension of the southwest road was re-When the \$150,000 of read bonds were voted some years ago it was with the understanding that the proceeds were to be divided into three equal parts and be expended on three roads the West Dodge road, the Military road and the southwest or Center street road. The West Dudge street and the Military roads have received their proportion of the money, and now the balance of the \$50,000 voted for the purpose is to be used in making an extension to the southwest, out post the Omaha Fair and

Speed association park. The following resolution was offered by Chairman Kierstead and referred:

Chairman Kierstead and referred:

Whereas, This board has set aside and appropriated the sum of \$75,000 to the Transmississippi Exposition, and
Whereas, The sum of \$55,000 has been turned over to the said exposition in compliance with said resolution, and
Whereas, The Transmississippi Exposition company is in need of the \$25,000 balance so, set apart, and
Whereas, The interests of Douglas county will in no wise be jeopardized by the immediate transfer of the balance and that the exposition company will be greatly benefited thereby; therefore, be it
Resolved, That the \$25,000 balance held in reserve be at once turned over to the exposition association for the general good and advancement of the exposition.

The county treasurer was instructed to

The county freasurer was instructed to ancel the tax levied against ground on which the Academy of the Forred Heart is

Charles Hill was licensed to sell liquor at the Brighton hotel, East Omnha. Christ Stelzer asked for "any position" in connection with the Transmissipli pl Expo-

County Clerk Haverly asked authority to employ a man for the period of sixty days to check up the old tax books of the county treasurer's office. Commissioner Hoctor opsaying that this work was a part of the duties of John Dailey, who was recently placed on the salary list. Commissioners Kierstead and Horte were of the opinion that the interests of the county would be subserved. On roll call all of the memb coted to allow the county clerk to hire the

man. of the Adam Snyder bondsmen, who offered to pay \$4,500 in full of the \$9,000 shortage that occurred during Snyder's term as county treasurer. They, however, offered to cancel the judgment providing the bondsmen would

pay \$5,500. It was suggested that a correspondence be opened with the state authorities for the purpose of securing the return of \$2,200 re-tained as accrued interest on the exposition bonds bought by the State Board of School Lands and Funds.

The next meeting will be held on February After Delinquent Tenants.

At a meeting of the Real Estate exchange held at noon in the Commercial club errangements were completed for compiling a delinquent tenant list. Tenants who have teiled to pay their rent will be listed, together with the amounts they owe, and the members of the exchange will rent to no such delinquents. It is desired that all mem-

bers bring their lists to the Manday meeting.

Joe Brown was arrested Saturday night for beating his mistress. Nellie Brown, for beating his mistress. Nellie Brown, who is the keeper of a dive not far from Ninth and Capitol avenue. Brown demanded some money of the woman, which was not forthcoming and he accordingly knocked her down and beat her quite severely. Brown is a white man, while the woman is a negrees. When arraigned before Judge Gordon Brown pleaded not guilty to being a vagrant and an inmate and his hearing was set for Wednesday at 2 o'clock.