

NO EVIDENCE ON VALUATION

Frank Murphy Quits Tax Case Without Giving Information.

RYAN SUSTAINS WEBSTER'S OBJECTIONS

City Clerk Elbourne Gives Testimony as to Filing and Reading of Complaints Before Board of Equalization.

It was generally conceded by those who have been attending the tax mandamus hearing regularly that Mr. McIntosh sustained a severe reverse in the refusal of Referee Ryan to admit evidence as to the value of the corporation personal property and franchises.

An intimation that this would be the referee's ruling was given out Tuesday morning, but it was not known positively until Wednesday afternoon, when Frank Murphy, president of the street railway and gas companies, was permitted to leave the witness stand without having testified to a single material fact.

Webster Questions McIntosh. He was cross-examined by Mr. Webster. "Weren't you present at a meeting of the city council, sitting as a board of equalization, Friday, January 17?"

"I was present, but solely as an individual. I wasn't representing anybody as attorney."

"Didn't you participate in the hearing on that day?"

"I replied to some remarks made there by Mr. Webster."

The referee introduced in evidence the city clerk's journal of the council meeting of January 20. Mr. McIntosh then announced that the referee rested.

The respondents began their side of the case by calling to the stand City Clerk Elbourne. He was asked to identify a publication notice advertising the sitting of the city council as a board of equalization.

This was done, and the notice was introduced in evidence. Mr. McIntosh's objection was overruled.

The original eighty-eight complaints made by members of the Real Estate exchange were then identified and accepted in evidence over Mr. McIntosh's protest.

"Was there any discussion before the board as to what its action would be on any one of these complaints?"

City Attorney Council and Mr. Morsman objected to this and their objection was overruled.

"When these complaints were filed," Mr. Elbourne answered, "the board laid them to one side until the last day of the session and then they were acted on."

Elbourne Doesn't Know. "Didn't you know as a matter of fact that no action whatever was had on any of these complaints until after the Morton and Shriver complaints were filed?"

"No, sir; I don't know anything of that kind."

"Was anything said by any member of the board as to what its action would be with reference to these complaints?"

Mr. Connell's objection was overruled. "I don't remember of anything being said," was the answer.

Mr. McIntosh called the referee's attention to the fact that the eighty-eight complaints were stamped with the date January 17. "The purpose of that is," said he, "to give the impression that they were heard on that date, which is not true." He resumed:

"Was any one of these complaints read to the board?"

"I don't know. There were hundreds of papers read; I can't remember them all."

"How do you know these particular complaints were read, then?"

"By their class and the file marks."

"Who read them?"

"I don't know."

Mr. Elbourne was still on the stand when at 5 o'clock court adjourned until 9:30 this morning.

Fleming on the Stand. Tax Commissioner Fleming was recalled to the stand for a few minutes yesterday forenoon to answer some general questions by Mr. Webster touching the personnel and organization of the Board of Review.

Attorney J. W. Battin was called to the witness stand. He was a member of the last Board of Review.

"Mr. Battin," asked Mr. McIntosh, "did you ascertain the fair cash value of property except the property of the five public service corporations, and then did you compute 40 per cent of that as the assessable value of the property?"

Mr. Webster's objection to this was overruled.

"Yes," was the answer.

"Did you make an attempt while reviewing to ascertain the fair cash value of the corporation property?"

Objection to, for the reason that the Board of Review is not an assessing board. Sustained. Mr. McIntosh excepted.

"Did the Board of Review have any figures before it to enable it to arrive at a fair cash value of the corporations?"

Objections were sustained and exceptions were taken.

Statement by Goodrich. Mr. McIntosh offered in evidence a sworn statement of the property value of the street railway company, signed by D. H. Goodrich, secretary, which was in the nature of a request to the Board of Review to reduce the assessment of the company to \$475,000.

Unlike the other schedule previously introduced, this was not made out on the blank form from the tax commissioner's office, but on Omaha Street Railway company stationery. These items were given:

Investment, Dec. 1, 1901.....\$3,363,221  
Cable was paid in stock.....2,900,000  
Horse was paid in bonds.....500,000  
Horse was paid in stock.....2,000,000  
Motor was paid in stock.....1,000,000  
Original cost.....8,500,000  
Present investment or cost, total.....\$3,363,221  
Less original cost.....6,500,000  
Estimated investment in paving, which is exempt.....\$600,000  
This is corroborated by insurance account to \$518,700, including buildings which are assessed with real estate. We are compelled to carry, and do carry, 100 per cent on everything except buildings, so it will readily be seen that the figures on the statement net are very nearly correct. A fair assessment would be \$475,000.

This was signed by D. H. Goodrich as secretary.

Attorney Webster objected to its introduction in evidence, and the objection was sustained.

City Clerk Testifies. Attorney Battin was accused, and City Clerk Elbourne was called to the stand.

"Did you issue notices to the corporations January 18, notifying them that complaints had been filed against their assessments, and that the complaints would be heard January 20?"

Mr. Elbourne replied that he had not. "Such notices were prepared," he said, "but before they could be sent out the Board of Equalization revoked the order and they were thrown into the waste basket."

Mr. McIntosh asked that copies of the notices, which were in Mr. Elbourne's possession, be introduced in evidence.

"What good will that do?" asked Referee Ryan. "The witness says he throw the originals in the waste basket."

"But he didn't," answered Mr. McIntosh. "Will you prove by the next witness that the notices were rejected?"

Patrolman Louis Rentfrew was called to the stand. Asked if he served notices on the five corporations January 18, he said he didn't know. He served something, but whatever it was, it was in sealed envelopes. Office Rentfrew was still on the stand when the hearing adjourned for the noon recess.

Frank Murphy was called to the stand in the afternoon, but every question put to him by Mr. McIntosh touching upon the value of the street railway and gas companies' property was objected to by Mr. Webster and the objections were sustained.

Announcements of the Theaters. This afternoon and tonight closes Miss Allen's engagement at the Boyd in "In the Palace of the King." Friday night Mrs. Carrie Nation, the much-talked-of Kansas reformer and lecturer, will deliver one of her characteristic lectures at the theater. Mrs. Nation uses a silver plated hatchet to illustrate how she smashed satans.

Mrs. Nation is a good talker and full of her subject. The various reforms she inaugurated by main force and the methods she used to accomplish them will be vividly described. Notwithstanding the report current the Cherry sisters will not assist at the lecture.

One of the best adjusted and pleasing bills that has been seen at the Orpheum in many weeks is serving to draw big houses this week. An unusually bright little comedy entitled "Why Walker Reformed," is presented by Milton and Dollie Nobles. Another genuinely good stunt is offered by Melville and Stetson, who are singing and giving imitations just as entertainingly as ever. The comedy horizontal bar performance of the Wilton brothers is uproariously funny and probably is making the biggest hit of any similar act this season. The moving picture showing the launching and christening of Emperor William's new yacht Meteor and the parties participating in the ceremonies, including President and Miss Roosevelt, and Prince Henry, is of interest.

Mortality Statistics. The following births and deaths were reported to the Board of Health during the twenty-four hours ending Wednesday noon:

Births—James Kowalin, 2311 South Seventh; Harry W. Williams, 1012 Locust; girl, J. Miller, 2428 South Fifteenth; boy, Thomas Casey, 27 South First; boy, Deaths—E. W. Bartlett, 353 Manderson, 52; Mrs. Helen Palmer, 27 South Fifth; Andrew Nyberg, 1224 Capitol avenue, 61.

How to Prevent Pneumonia. You have good reason to fear an attack of pneumonia when you have a severe cold, accompanied by pains in the chest or in the back between the shoulders. Get a bottle of Chamberlain's Cough Remedy and use it as directed and it will prevent the threatened attack. Among the tens of thousands who have used this remedy for colds and influenza we have yet to learn of a single case that has resulted in pneumonia, which shows that this remedy is a certain preventive of that dangerous disease.

FOR RENT.

Handsome Brick Residence on the southwest corner of Seventeenth and Douglas streets. It was built by the late Henry Pundt as his home and is one of the best constructed as well as one of the finest houses in Omaha. It is built entirely of brick and stone, stone steps and slate roof. It is finished in the choicest of hard woods, has hard wood floors, imported English tile floor in the reception hall, electric lights, porcelain bath, laundry with stationary washbasin, large pantry, china and linen closets, cedar-lined closet, etc.

TWELVE ROOMS besides the basement, containing laundry, storage rooms, storeroom, cellar and wine cellar, also large, high attic storeroom, separated from the servants' rooms. It also has a large veranda enclosed as a sun-parlor, equipped with steam heat.

RENTAL PRICE INCLUDES STEAM HEAT, ELECTRIC LIGHT AND HOT WATER, as the house is connected with the heating and lighting systems of the Bee Building.

For further information call on Charles C. Rosewater, Secretary The Bee Building Co., Room 100, Bee Building. Telephone 235.

Shampooing and hair dressing, 25c, at The Bathery, 215-220 Bee Building. Tel. 1714.

VERY LOW RATES Via the Union Pacific. MISSOURI RIVER TO Ogden and Salt Lake.....\$20.00

Butte and Helena.....20.00  
Spokane.....22.50  
Portland and Ashland.....25.00  
Tacoma and Seattle.....25.00  
San Francisco.....25.00  
Los Angeles and San Diego.....25.00

City Ticket Office, 1324 Farnam St., Phone 313. Union Station, 10th and Marcy, Phone 629.

Capital Lodge No. 3, A. F. & A. M. The members of Capital Lodge No. 3, A. F. and A. M., and of sister lodges, are requested to attend the funeral of Brother Edward W. Bartlett at Masonic hall, 16th and Capitol avenue, Thursday, March 27, at 1 p. m. By order of the master, JOHN BAMPFORD, Secretary.

Publish your legal notices in The Weekly Bee. Telephone 235.

Send articles of incorporation, notices of stockholders' meetings, etc., to The Bee. We will give them proper legal insertion. Bee telephone, 235.

H. E. Palmer, Son & Co., have removed from the Range block to the 3d floor of Merchants' National bank building.

Shampooing and hair dressing, 25c, at The Bathery, 215-220 Bee Building. Tel. 1714.

FUNERAL NOTICE. M'GAGUE—Mrs. Henrietta M., wife of Rev. Thomas McCague, D. D., at her home, 426 South Fortieth street, this city. Born at Twenty-Mile Stand, Warren county, Ohio, May 20, 1822; died March 24, 1902, aged 69 years 10 months 24 days. Leaves surviving husband, five sons and four daughters. Funeral Thursday afternoon, March 27.

DIED. WEARIE—Elizabeth, March 26, 1902, at her late residence, 324 Parker, aged 69 years. Funeral from residence, Friday, March 28, at 2 p. m. Interment, Prospect Hill cemetery. Friends may call at the residence.

SWISHER—Harry, at Cedar Rapids, Ia., March 25, 1902; born at Kirkville, Ia., July 4, 1828.

SCHMOLLER & MUELLER

Steinway Representatives. Largest Piano Dealers in the West.

We have the Largest Stock. We have the Greatest Variety. We sell at the Cheapest Prices. We sell on the Easiest Terms.

Schmoller & Mueller, 1319 Farnam Street, Omaha. 502 Broadway, Council Bluffs.

Fence Paint

No matter whether you want to paint a fence or a floor it can be done with very little trouble and not much expense. Use the Little White Paint. It is a mixture of white lead and zinc oxide. It is the best paint for fences and floors. It is easy to apply and dries quickly. It is the best paint for fences and floors. It is easy to apply and dries quickly.

CALL FOR COLOR CARD.

Sherman & McConnell Drug Co., Corner 10th and Dodge.

ONLY A FEW MORE DAYS. If in need of any clothing, furnishing goods or hats, bear in mind that the guarantee in making a special effort to close out what is left at 12-13 Capitol. Boys' underwear, 15c; men's laundered and soft bosomed shirts, 25c; full suits of men's clothes, \$1.98; pants, from 50c up; gloves, 5c a pair; odds and ends of all kinds at way below original cost, as we have absolutely no use for these goods after Saturday night. In the new store everything will be new, fresh and up to date. The Guarantee's selling out sale, 12-13 Capitol avenue, near Bennett's old stand.

P. R.—Remember, Saturday is our last day at the old stand, and then will be out of business until about April 15th.

EDMANDEIS BOSTON STORE & SONS

Easter Millinery



Street Hats, splendidly draped and trimmed with fine soft materials and ornaments—98c

Tailor-Made Suits, Raglans, Skirts

Shower-Proof Raglans. At \$6.98, formerly \$12.50—made of good, shower-proof materials, yoke front and back, with and without the heavy, mottled cheviot, Venetian and cover. Includes misses' sizes, ages 12 to 15 years. \$4.98

Silk Dress Skirts. At \$7.50, formerly \$12.50—made of good, heavy taffeta silk, with all-over tucked tops, very richly designed flounces—also some good taffetas with lace and ribbon trimming—Thursday very special—\$7.50

Golf Skirt Special. At \$1.98, formerly \$4.00—a heavy, strictly all wool Golf Skirt, in all colors, with the new high-cut flounce, heavy, mottled cheviot, Venetian and cover. Includes misses' sizes, ages 12 to 15 years. \$1.98

Ladies Tailor-Made Suits. \$4.98, formerly \$10—made in blouse, eton and reefer jacket styles, silk faced and lined skirts, with flounce and good lining, in all colors, mottled cheviot, Venetian and cover. Includes misses' sizes, ages 12 to 15 years. \$4.98

Special Sale of Picture Frames. Today we will place on sale an importer's sample line of Frames, in the highest quality. These Frames are all beautifully constructed, elegant designs, embossed with Cupids, forget-me-nots and very beautifully hand-painted. They are made of gold, silver, metal and oxidized, in gray, rose and gold. They come in all sizes, including miniature and cabinet size, square and oval, also double framed, almost everything in Frames you can wish for—worth from 50c to \$2.00 each—on sale at

10c, 15c, 25c and 39c Each

FOR THE EARLY SPRING. An Economical Coal.. Spadra Semi-Anthracite \$8 The Ton.

In the morning a good shaking and open draughts will furnish an excellent fire in fifteen minutes. Then close draughts, regulate your fire as wanted. Just the coal for this time of year, in Furnaces and Heating Stoves

Account of its free burning qualities, the fire can be perfectly regulated to suit the weather. With damper tightly closed, SPADRA will hold fire easily for twenty-four hours.

C. B. HAVENS & CO., Tel. 317 and 825. 1522 Farnam Street.

Do You Own Valuable Papers?

We have a suite of rooms with a fire and burglar proof vault. It consists of a waiting room and two smaller rooms. Electric light. Hardwood floors.

THE BEE BUILDING. It will be a pleasure to work in offices like these. The rent is \$40. We have another single good sized office with a vault, only \$17.50.

R. C. PETERS & CO., RENTAL AGENTS, GROUND FLOOR, BEE BLDG

The Druggist's Dream

It was in the balmy month of June, 1901—the 15th day of the month, to be accurate, when the druggist of Omaha (as excepted, as we don't dream) had a joint PENNY with the N. A. R. to the effect that they would all go into cohorts and bump up the price to a uniform point of the Dutchman's 1 per cent. years ago the mossback age. What a snip it was going to be for the fellow who likes to sit around and wait for customers to come in and pay his price "cause they wasn't to be able to do any better at the other fellow's place, who pushed his business, as he was to be FROGGED OUT. But the OTHER FELLOW couldn't see it that way and he started them on the list of September with that "Trusts don't go in Nebraska" ad, and they haven't gotten over it yet.

Little pills for Bicycles and Baby Carriages. Huge cans of paint for big houses, barns and bridges.

Half-pint can Family Paint.....15c  
Half-pint can Varnish Stain.....20c  
Half-pint can Screen Paint.....15c  
Quarter-pint can Enamel Paint.....10c  
Quarter-pint can Bicycle Enamel.....20c  
Half-pint can House Paint.....25c  
Half-pint can Bathing Enamel.....20c  
Half-pint can Oil Stain.....15c  
One-half can Fine Varnish.....15c

YOU MAY TALK till doomed and you can't convince a user of METZ BRO'S BEER that there's any equal to it in body, flavor or palatable qualities. Carefully selected malt and hops and an essentially perfect brewing method have won for it a prestige critical beer users admire.

SCHAEFER'S CUT PRICE DRUG STORE. Tel. 747. S. W. cor. 10th and Chicago. Goods delivered FREE to any part of city.

Metz Bros. Brewing Co., Tel. 110, Omaha. Or Jacob Neumayer, Agt., care Neumayer Hotel, Council Bluffs, Iowa.

DANDRUFF

Positively Cured at your Home. Falling Hair and all afflictions of the Hair and Scalp cured with our scientific treatment, specially prepared with hair restorer. Call on us at 121-13 Capitol. WOODRUFF D. S. 121-13 Capitol.

Easter Suggestions

For those who are desirous of purchasing new wearables for Easter and appreciate correct and exclusive styles, will welcome this opportunity to see the very latest creations in ready-to-wear apparel for men, women and children. Nor do the benefits end here. There is a decided price advantage at this store, for our plan of merchandising is not to mark an article as high as it could probably be sold for, but as low as we can possibly afford to sell it. Easter shopping will be pleasant here, and at no store will you find values equal to ours.

Women's Man-Tailored Suits

There is nothing like our women's suits that you have ever seen before. We lay our first claim to your suit patronage to the fact that we give you styles different from what others can show.

Women's Tailor-Made Suits

Women's Man-Tailored Suits—made of a very fine all wool cheviot serge, in black, blue and brown; the new eton effect, with silk vest front, jacket and skirt trimmed with stitched taffeta bands, jackets taffeta lined throughout, \$12.75 a suit worth \$18

Women's Tailor-Made Suits—Gibson

blouse and eton shapes, our own models, etamines and canvas weaves, in black and colors, the handsomest costumes ever offered at these \$29.75

Women's Jackets & Raglans

Women's Cloth Jackets—made in cheviots, broadcloths and venetians—new eton and blouse effect, well lined and tailored, \$18.75 from \$4.90 to

Fine Silk Jackets—wonderful collection in moire taffeta and peau de soie, many exclusive effects, at \$7.50, \$9.75, \$14.75 \$35.00 up to

Long Silk Garments—in moire, taffeta and peau de soie, lined and unlined, trimmed and plain, at \$14.75, \$16.75, \$18.75 \$45.00 up to

Easter Millinery

Nothing has been left undone that would add to the popularity of our millinery. We have spared no pains to provide the women with the newest ideas the market affords and at prices one-half the milliners. We would particularly call your attention to our magnificent display of \$5 trimmed hats, exact reproductions of foreign models, only one of each model, never such values and style for the money, \$5.00 positively worth \$10.00—at

In the Boys' Section

We invite the parents to closely examine the goodness of our boys' clothing. We have bent our best energies to secure the best clothes at the most moderate prices. In our boys' department will be seen clothes made by America's foremost manufacturers.

Children's Suits. Children's suits made of a choice line of suitings, made to wear, correct in style and well made, they come in light and dark checks, plain and fancy patterns, they are made in double breasted or Norfolk styles—well worth \$3.75, \$2.50 at

Children's Suits. made of serges, casimeres, plaids and overplaids, checks and plain colors, are perfectly tailored, with the best of linings, they come in double breasted, Norfolk and three-piece styles, \$4.00, they are well worth \$3.00 at

Youths' Suits. Made of fancy Scotch suitings, in sizes 13 to 19, cut in the new style coat, strongly stayed, perfect fitting and the equal of any \$7 suit displayed by any other store, our popular price for this suit, \$4.50 at

Youths' Suits. made of fancy worsted, chevots, made in the sweetest single breasted coats, they are for young gentlemen 13 to 19 years, these suits are the perfection of high art tailoring, and are well worth \$12.00, at \$9.00

Men's Furnishings

You know what should be in the Easter wardrobe—gloves—shirts—hose—neckwear—handkerchiefs. We have an exceptionally fine assortment at most tempting prices.

Nebraska Clothing Co.

CLOTHES FOR MEN AND WOMEN

EASTER GIFTS

Locketts and chains, opal rings, book marks, hat pins, stick pins, cuff buttons, brooches. We have a beautiful line of these goods at all prices. Spend a few minutes at our store. Look for the name

S. W. LINDSAY, The Jeweler, 1516 Douglas St.

IF YOU ARE NOT SMOKING THE MERCANTILE

Try one, then notice the fine Aroma of our present Havana Tobacco and compare it with high priced imported Cigars. F. R. Rice Mercantile Cigar Co., Manufacturers, St. Louis. Union Made.



W. B. D. ERECT FORM CORSETS THIS IS THE Latest ERECT FORM Just now there are two different models Style 711 which costs \$2 Style 713 which costs \$4 The corset is rather long and extra pieces at the side cover and fit the hips producing a perfectly smooth effect. Just now, very tight skirts are proper. Women who dress with the mode, must wear this model.

For Sale by All Dealers If your dealer cannot supply you, mention his name and send price to WEINGARTEN BROS. 377-379 Broadway, New York No other corset can take the place of the W. B. D. Erect Form. Accept no substitutes.