10

NO EVIDENCE ON VALUATION | board as to what its action wou reference to these complaints?" board as to what its action would be with

Trank Murphy Quits Tax Case Without Giving Information.

RYAN SUSTAINS WEBSTER'S OBJECTIONS

City Clerk Elbourn 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 Referre Ryan to admit evidence as to the value of the corporation personal property and franchises. The attorney for the re- morning. lators had been counting on this as one of his strongest arguments in favor of granting the writ.

An intimation that this would be the referee's ruling was given out Tuesday morning, but it was not known positively until Wednerday 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. Every question asked by Mr. McIntosh as to the value of the personal property and franchises of the two corporations was objected to by Attor-ney Webster or Attorney Connell. The referee sustained all of the objections.

After President Murphy was excused Attorney McIntosh took the stand and interrogated himself. The questions pertained to the antecedents of the case, to what took place before the Board of Equalization January 15 and 20, inclusive, and what the witness did by way of attempting to wecure a hearing for his clients.

Webster Questions McIntosh.

He was cross-examined by Mr. Webster. 'Weren't you present at a meeting of the pity council, sitting as a board of equalization, Friday, January 177" were taken.

"I was present, but solely as an indiwidual. 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 relators introduced in evidence the city clerk's journal of the council meet- to \$475,090. Unlike the other schedule ing of January 20. Mr. McIntosh then an. previously introduced, this was not made nounced that the relators rested.

The respondents began their side of the case by calling to the stand City Clerk Railway company stationery. These items Elbourn. 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 Connell and Mr. Morsman objected to this and their objection was soverruled.

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

Elbourn Doesn't Know.

"Didn't you know as a matter of fact that no action whatever was had on any one 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

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 com-

plaints 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 dont know."

Mr. Elbourn was still on the stand when lor, equipped with steam heat. at 5 o'clock court adjourned until 9:30 this

Fleming on the Stand.

Tax Commissioner Fleming was recalled and lighting systems of The Bee Building. to the stand for a few minutes yesterday For further information call on Charles C. 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 com-

value of the property?" Mr. Webster's objection to this was over-

ruled. "Yes," was the answer.

the corporation property?" Objected to, for the reason that the \$16. Board of Review is not an assessing board.

Sustained. Mr. McIntosh excepted. "Did the Board of Review have any figres before it to enable it to arrive at : fair cash value of the corporations?" Objections were sustained and exceptions

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 na-Bee. Telephone 238. ture of a request to the Board of Review to reduce the assessment of the company

out on the blank form from the tax commissioner's office, but on Omaha Street were given;

 were given:

 Investment, Dec. 1, 1901
 \$8,363,221

 Cable was paid in stock
 2,000,000

 Horse was paid in bonds
 500,000

 Horse was paid in stock
 2,000,000

 Horse was paid in bonds
 500,000

 Motor was paid in bonds
 500,000

 Original cost
 6500,000

 Foregoing all practically wiped out except roal estate, which is assessed separately.

arately.

Estimated investment in paving. \$ \$00,000

This was signed by D. H. Goodrich as secretary. Attorney Webster objected to its introduc-

tion in evidence, and the objection was sustained

Attorney Battin was excused, and City SCHMOLLER Clerk Elbourn was called to the stand. "Did you issue notices to the corp

Handsome Brick Residence

on the southwest corner or 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. percelain bath, laundry with stationary washtubs, large pantry, china and linen closets, cedar-lined woolen closet, etc.

FOR RENT.

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 verapda enclosed as a sun par-RENTAL PRICE

INCLUDES STEAM HEAT, ELECTRIC LIGHT AND HOT WATER. as the house is connected with the heating

Rosewater, Secretary The Bee Building Co., Room 100, Bee Building, Telephone 238.

Shampooing and hairdressing, 25c, at The Bathery. 216-220 Bee Building. Tel 1716. VERY LOW RATES

> Via the Union Pacific. MISSOURI RIVER TO

Butte and Helena..... 20.00 Portland and Ashland 25.00 Tacoma and Seattle 25.00

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

'Phone 629. Capital Lodge No. 3, A. F. & A. M. The members of Capitol 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 BAMFORD, Secretary. Publish your legal notices in The Weekly

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

Bee telephone, 238. H. E. Palmer, Son & Co., have removed from the Ramge block to the 3d floor of

Merchants' National bank building. Shampooing and hair dressing, 25c, at The Eathery, 216-220 Bee Building. Tel. 1716.

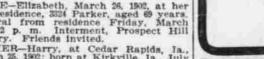
FUNERAL NOTICE.

M'CAGUE-Mrs. Henrietta M., wife of Rev. Thomas McCague, D. D., at her home, 425 South Fortieth street, this city. Born at Twenty-Mile Stand, Warren county, Ohio, May 20, 1832; ded March 24, 1902, aged 69 years 10 months 24 days. Leaves surviving, husband, five sons and four daughters. daughters, Funeral Thursday afternoon, March 27.

DIED.

WEARE-Elizabeth, March 26, 1902, at her late residence, 3324 Parker, aged 69 years. Funeral from residence Friday, March 28, at 2 p. m. Interment, Prospect Hill cemetery. Friends invited. SWISHER-Harry, at Cedar Rapids, Ia., March 25, 1902; born at Kirkville, Ia., July 4, 1878.

Dealers





Trimmed Bats at \$5.00-The Best Values in America. Again we offer another immense as-sortment of our unequalled \$5.00 Hats. At this price you will find as hand-some array of Trimmed Hats as it is possible to get together. again that these hats are positively the best value in America for the money

Trimmed Hats for \$2.49 and \$3.49.

Beautiful conceptions in handsome draped Trimmed Hats for ladies at draped These hats are designed first-class artists and every detail newness and freshness has enter fuito their construction and they is fully up to the offerings in most sto at double our price— \$2.4 \$2.49

\$2.50 Silk Chiffon Hats, \$1.39.

\$1.39

At \$6.98, formerly \$12.50-made of good, shower-proof ma-terials, yoke front and back, with and without the new triple capes, some with the new belt back-have been selling at \$12.60-choice Thurs-\$6.98

Silk Dress Skirts.

At \$7.50, formerly \$12.50-made of good, heavy taffeta silk, with all-over tucked tops, very richly designed founces-also some good taffetas with lace and rib-bon trimming-Thursday very special-

Golf Skirt Special.

Ladies Tailor-Made Suits.

At 98c-Silk Capes, with ribbon and lace trimming, good lining, full sizes-very special at. 98c

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-chased. They are made of gold plate, gun metal and oxydized, in gray, rose and gold. They come in all sizes, including minature and cabinet size, square and coal, also double frames-almost everything in Frames you can wish for-worth from 50c to \$2.69 each-on sale at

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

Easter Suggestions 3

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

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 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

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





Street Hats, splendidly draped and trimmed with fine soft _____98c at 40c, 60c and Big bunches Cherries, 29c Big bunches White Foliage, 39c.

THE OMAHA DAILY BEE: THURSDAY, MARCH 27, 1902.

Big bunches June Roses, 19 Tailor-Made Suits, Raglans, Skirts

Shower-Proof Raglans.



WEINGARTEN BROS. 377-379 Broadway, New York No other cornet can take the place of the W. H. Erect Form.

tions January 18, notifying them that complaints had been filed against their assessments, and that the complaints would be heard January 20? Mr. Elboru 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. Elbourn'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. Mc-

Intosh. "I will prove by the next witness that the notices were served." 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. Officer Rentfrew was still on the stand We have the 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 company properties 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 saloons. Mrs. Nation is a gool 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 re-ported to the Board of Health during the twenty-four hours ending Wednesday noon: Births-James Kowalin, 211 South Sev-enth, girl; — Band, Wise Memorial hos-pital, girl; E. C. Lucas, 1601 Locust, girl, J. C. Miller, 2405 South Fiftheenth, boy; Thomas Casey, 2226 South Tenth, boy; Deaths-E. W. Bartlett, 3334 Manderson, 52; Mrs. Holen Palmer, 207 South Thirty-fifth avenue, 61; Andrew Nyberg, 1324 Capi-tol avenue, 45.

How to Prevent Pneumonia.

You have good reason to fear an attack of

a set a second of the second o



big houses, barns and bridges. Half-pint can Family Paint...... Half-pint can Varnish Stain..... Guarter-pint can Enamel Paint...... Quarter-pint can Bicycle Ename Half-pint can Buggy Paint..... Half-pint can Buggy Paint..... Half-pint can Gil Stain...... One-half can Fine Varnish..... Enamel

CALL FOR COLOR CARD.

Sherman & McConnell Drug Co. Corner 16th and Dodge.

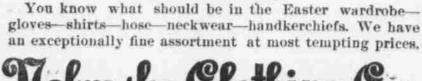
ONLY A FEW MORE DAYS.

poods or hats, bear in mind that the Guarantee is making a special effort to lose out what is left at 1516-18 Capitol.

and soft bosomed shirts, 25c; full suits of pneumonia when you have a severe cold, ac- men's clothes, \$1.98; pants, from 50c up; ompanied by pains in the chest or in the gloves, 5c a pair; odds and ends of all back between the shoulders. Get a bottle of kinds at way below original cost, as we Chamberlain's Cough Remedy and use it as have absolutely no use for these goods after directed and it will prevent the threatened Saturday night. In the new store everyattack. Among the tens of thousands who thing will be new, fresh and up to date. have used this remedy for colds and in The Guarantee's selling out sale, 1516-18 grippe we have yet to learn of a single case | Capitol avenue, near Bennett's old stand. that has resulted in pneumonia, which shows that this remody is a certain preven-tive of that dangerous disease.



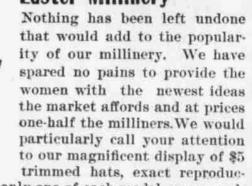
tions of foreign models, only one of each model, never such values and style for the money, In the Boys' Section We invite the parents to closely examine the goodness of foremost manufacturers. Children's Suits Youths' Suits Children's suits made of a choice Made of fancy Scotch sultings, in line of suitings, made to wear, corsizes 13 to 19, cut in the new style rect in style and well made, they coat, strongly stayed, perfect fitting come in light and dark checks, plain and the equal of any \$7 suit displayed and fancy patterns, they are made in double breasted or Norfolk stylesby any other store, our popular price well worth \$3.75, well worth \$3.75. \$2.50 for this suit, Children's Suits made of serges, cassimeres, plaids and overplaids, checks and plain colors, are perfectly tailored, with the best of linings, they come in double breasted, Norfolks and three-piece styles, \$4.00. \$3.00 well worth \$12 00, they are well worth Men's Furnishings





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.

Easter Millinery



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

> Youths' Suits made of fancy worsted, chevlots, made in the swellest single breasted sack, they are for young gentlemen 13 to 19 years, these suits are the perfec-

tion of high art tailoring, and are well worth \$12 00, at \$9.00

DANDRUFF Positively Gurud at your Home.



If in need of any clothing, furnishing

Boys' underwear, 15c; men's laundered