

LOBECK AND McDONALD TIE

Official Count Shows Each Candidate with Same Total Vote.

MAY DRAW STRAWS FOR THE OFFICE

Democratic Candidate Gains Ten Votes in Fifth Precinct of Ninth Ward—Ballots May Be Counted in Court.

The completion of the canvass of the vote cast in the Fifth, Sixth and Ninth wards of East Omaha, which constitute the Third Commission district, leaves Henry McDonald, republican, and C. D. Lobeck, democrat, tied for the seat of the board. Each has a total of 2,611 votes, distributed as follows:

Table with 2 columns: Candidate, Votes. McDonald: 2,611. Lobeck: 2,611.

The unofficial returns had shown McDonald to have a lead of eleven, but in the Fifth precinct of the Ninth ward he lost ten votes, the unofficial tally having given him 115 instead of 104, while in the Fifth ward Lobeck gained two votes and in the Ninth lost one, or made a net gain of one, which, with the ten McDonald lost, removed the latter's lead.

Lobeck is dissatisfied with the count because McDonald was, he says, allowed the benefit of a very grave doubt about a tally mark in the returns from the Sixth precinct of the Sixth ward, the decision of the canvassing board being reversed after Attorney Burbank, on behalf of McDonald, had succeeded in having the board reopen a poll book after it had been sealed and was being wrapped, and inspect the mark and change its decision to give McDonald the doubtful credit.

Ballots May Be Opened.

It is understood that the contestants will have the ballots unwrapped and counted in county court by agreement before any certificate of election is issued. Should this plan be abandoned then it would be up to the county clerk, as the compiled statutes (205, sec. 49) read:

When there is a tie between two persons for an office to be filled by the county alone, or by any precinct therein, the clerk shall notify them to appear at his office at a given time to determine the same by lot before the canvassing board, and the certificate of election is to be given accordingly. If either party fail to appear or to take part in the lot, the county clerk shall draw for him.

The statutes also provide that such course shall be taken in the event of a contest which results in leaving the candidates still tied.

Judge Reed of the district bench, a chance visitor at the tax department shortly after the vote was announced, informed an inquirer that either contestant could allow the matter to be decided by the county clerk drawing lots without prejudice to his case should he get the wrong straw and desire afterward to contest. Such contest would begin in county court and could go up on appeal.

The McDonald-Lobeck race became such a close one yesterday that all other candidates were dropped practically from notice and as yet immaterial changes in the vote on the legislative ticket. The official board will not do its totaling until the whole county vote has been canvassed and entered, which probably will be by Thursday night.

Jeffers and English, candidates for county attorney, each had tallies present, however, and a comparison of their tables at noon showed that in Omaha proper and East Omaha Jeffers has a plurality, officially, of 243 over English. In the Third precinct of the Eighth ward the canvass resulted in Jeffers' credit being raised from 64 to 118 and English's credit from 80 to 102, or a net gain for Jeffers of 29.

In the afternoon the canvassing board went through the books from all the wards of South Omaha and those from Benson, Chicago, Clontarf, Douglas and Dundee precincts, with still no material changes. In the Second precinct of the Second ward of South Omaha English gained one, making his total for that city 1,982, as against Jeffers' 1,134, or a plurality of 798. This is eleven less than Hitchcock's plurality for the same city, as he received 1,935 votes, as against D. H. Mercer's 1,175.

Between Man and Wife.

Perry Fields, colored, and Mamie Fields, his wife, had trouble yesterday afternoon about 5 o'clock. Perry lives at 27 North Tenth street and Mamie at 1115 North Eleventh. The pair has not been able to live in the same house. The trouble occurred yesterday when Perry entered Mamie's place; he says at her request, she having sent him in to see her. Perry is a new dress; she says with the intention of doing for her. At any rate, after some reports and a little advice, Perry was landed on Perry's arm with an ornamental lamp, making a gash thereon which was dressed at the police station. The pair were arrested.

REMARKABLE SUCCESS

Of a New Catarrh Cure.

A large and constantly increasing majority of the American people are catarrh sufferers. This is not entirely the result of our changeable climate, but because modern investigation has clearly proven that many diseases, known by other names, are really catarrh. Formerly the name catarrh was applied almost exclusively to the common nasal catarrh, but the throat, stomach, liver, bladder, kidneys and intestines are subject to catarrhal diseases as well as the nasal passages.

In fact, wherever there is mucous membrane there is a feeding ground for catarrh. The usual remedies, inhalers, sprays, douches or powders, have been practically failures, as far as anything more than temporary relief was concerned, because they simply dry up the mucous secretions without having the remotest effect upon the blood and liver, which are the real sources of catarrhal diseases.

It has been known for some years that the radical cure of catarrh could never come from local applications, but from an internal remedy, acting on the blood and expelling the catarrhal poison from the system.

A new internal preparation which has been on the market only a short time has met with remarkable success as a genuine, radical cure for catarrh.

It may be found in any drug store, sold under the name of Stuart's Catarrh Tablets, a large, pleasant tasting lozenge, composed principally of antiseptic ingredients, blood-purifying, red gum and similar catarrh specific.

Dr. Ames, in speaking of the new catarrh cure, says: "I have tried the new catarrh remedy, Stuart's Catarrh Tablets, upon thirty or forty patients with remarkable satisfactory results. They clear the head and throat most effectually and lastingly than any douche or inhaler that I have ever seen, and, what is what is called a patent medicine, and sold by druggists, I do not hesitate to recommend them, as I know them to be free from cocaine and opiates and that even a little child may use them with entire safety."

Any sufferer from nasal catarrh, throat or bronchial trouble, catarrh of the stomach, liver or bladder, will find Stuart's Catarrh Tablets remarkable effective, pleasant and convenient, and your druggist will tell you they are absolutely free from any injurious drug.

WILL MAINTAIN THE FORCE

Board of Fire and Police Commissioners Decide Not to Reduce Fire Department.

The most interesting feature of the session of the Fire and Police board last evening was the fact that they took no action in regard to the reduction of the fire department of the city. Charles H. Pickens of the Omaha Commercial club made a talk to the board in executive session, in which he pleaded that there be no reduction made. One of the members of the board stated that the department would be kept to its present strength until the funds on hand were completely exhausted. Mr. Pickens stated that the Commercial club would take some official action regarding the matter next Tuesday at the meeting of the executive committee.

The resignation of Nick Dargatzewski as patrolman was accepted. Edward Wright, driver of hose company No. 7, was reprimanded for being under the influence of liquor. He was excused from further penalty on the grounds that his dram was taken on an empty stomach for the purpose of giving him strength to battle with a fire. Edward Heideman of hook and ladder company No. 1, up on the same charge, was also reprimanded and also fined his yearly thirty days off. Frank McClure, who resigned from the fire department a week ago to accept another position, was reinstated at his request.

Musical

The first actual concert appearance of Mr. Robert Cusaden, violinist, since his return from a prolonged study in Europe, was sufficient to call forth a large and very representative audience of the musicians and music lovers to the Kountze Memorial church last night. The church was more than two-thirds filled downstairs with the foremost musicians of all branches, and the critics were out in full force.

Mr. Cusaden has broadened much since he played here last. His tone is more voluminous, more highly colored and more varied in the production. His readings are literal, perhaps too much so; in fact, one looks for breathing spaces in a violin solo as well as in a song. He is inclined to carry one phrase into another, after the manner of so many violinists, and there is manifest an indisposition to "cut loose" and be himself.

Mr. Cusaden was most ably assisted by Mr. Joseph Dahm at the piano, which is the equivalent of saying that Mr. Cusaden's accompaniments were gems of art, and that there was nothing left undone which would tend to the support of the stellar attraction.

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The program presented some worthy offerings of true and tried value, while others were perhaps what one might call experiments. The first number, a sonata, by Sogren, was boring in much of its overdevelopment of a very ordinary theme, the piano part being by far the more interesting of the two parts, while the idea of introducing a quasi-barcarolle figure into an "allegretto scherzando" movement is, as yet, questionable. The recital, as a whole, was most enjoyable, and Mr. Cusaden secured the spontaneous approbation of those who know and love the high standards in the musical art.

More Counterfeit Money.

The secret service is endeavoring to locate a gang of counterfeiters who have been circulating spurious half-dollars and quarters in some of our eastern cities. When caught they will be given the full extent of the law, the same as should be done with the unscrupulous dealer who puts up an imitation article and sells it for the genuine Hostetter's Stomach Bitters. Refuse all imitations. The genuine Bitters will cure indigestion, dyspepsia, constipation and biliousness. Try a bottle.

Marriage Licenses.

Table listing names of couples and their addresses for marriage licenses.

LOCAL BREVITIES.

Frank Duesbery, the ex-policeman who was charged by George Pierce with stealing a bicycle and a watch, was released yesterday.

The fourth jury panel for this term of district court was drawn yesterday and consists of: Z. T. Lindsey, William H. Butts, J. W. Sweeney and H. B. Wood.

Rev. W. E. Gross of Kansas City has been engaged by Presiding Elder Jennings to deliver the sermon at the dedication of the new organ at the Methodist Episcopal church of this city. He opens at the Sacred street church Thursday evening.

The replevin suit of the Oliver Typewriter Co. against James B. Kitchen and the Kitchen Hotel Company for a receiver for the Paxton hotel is dragged by the appraiser to be more than \$1,000, now set for the hearing. The plaintiff has the burden of proof to show a return of value of those filed by the defendants.

A jury in Judge Shabaugh's court has found the defendant in the case of Mary Breen against Kelley, Stiger & Co. and E. R. Cook for \$10,000 damages, alleged to have been sustained by reason of Cook's private detective, having her rooms at the Paxton hotel searched in June, 1902, and at St. Louis, which was a violation of the firm's contract.

The S. D. Fire and Police commission asks the courts to enjoin W. J. Yancy and James P. Redman from building an artificial stone walk on the corner of the intersection of Warren Hill addition and to enjoin the city from paying for such work. The petition alleges that Yancy and Redman, under a contract with the city, tore up a good board walk to build the artificial stone.

A number of the members of the Omaha fire department, who since the appointment of the Board of Fire and Police Commissioners have been endeavoring to form a union, have succeeded and have secured a charter from the International Federation of Labor. The officers of the fire department do not know who belongs to the union. Its object is said to be the protection of the members of the department.

The advisory board at its meeting of yesterday afternoon adopted the proposed rules for the government of cemeteries and the burial of the dead, and the entire code of health rules recently compiled will now be submitted to the city council for adoption as an ordinance. The board proposed further action in the condemnation of the First Christian church at the request of the trustees of the church, who stated that the building would be sold and removed.

VETERAN FIREMEN BANQUET

Men Who Ran "Wid de Mochins" in Early Days Meet to Talk of the Past.

The first annual banquet of the Omaha Volunteer Firemen's association, and the second banquet in its history, was given last night at Ed Maurer's. Covers were laid for about 150 guests and members of the association.

The room was decorated with pictures of old-time fire fighters and belts and caps of the volunteers.

After the feast, wherein the service was perfect, John Hammer introduced W. F. Gurley as toastmaster. Mr. Gurley called for an address of welcome and named Mayor F. E. Moore as the one to respond. The mayor was in his element and made a short address which was received with laughter and applause. He paid tribute to the able and earnest work of the volunteer fire department. There are three heroes—the soldier, the locomotive engineer and the fire fighter—who take their lives in their hands for the defense of their country and their fellow citizens.

"Today we have but one more engine to defend the city from fire than we had when the volunteer department went out of existence," he said. "We are sleeping on a volcano. Our fire department should be enlarged and the legislature should place a larger sum of money at the command of the city council. We have been fortunate in our fire, but have been unfortunate in the loss of life of members. We have a department unequalled in personnel in the world for a city of its size, but it should be larger." He paid high tribute to the work of Chief Salter as a fire fighter and to Jack Galligan.

The mayor was followed by William J. Kennedy, who told of the formation of the first fire company in Omaha—Pioneer Hook and Ladder company No. 1—which was organized by Benjamin F. Shekles, J. W. Van Nostrand and W. J. Kennedy. A. J. Simpson was one of the members of the committee to decide on apparatus. The speaker then told of the preliminary steps; that Frank Dellone built the first ladder, Josiah McCormick provided the buckets and ropes and the hooks were made by a local blacksmith. Thirty-three members appeared on July 4, 1850, with apparatus complete. A short time after that the first run was made to a fake fire created by Mr. Kennedy, which created considerable protest and indignation. The first real test was in February, 1851, in a cottage owned by Dr. Merrill, occupied by Fred Krug. The fire was extinguished with water from a cistern and with snow cut from a bank. Then came the first engine, purchased by Mr. Simpson, the company commanded by Mr. Windheim, father of George B. Windheim.

The next fire was in the Heilmann block, but the engine was useless. The first time it was used was at the fire in the King building at Twelfth and Farnam streets. A. J. Simpson was the first chief of the department.

Mr. Kennedy was followed by the first chief, A. J. Simpson, who spoke briefly, and Samuel Burns, with remarks which were received with applause and laughter. Judge Estelle responded to the toast, "The Navy of the United States." Alfred Sorenson gave a few reminiscences and John H. Butler, first chief of the paid fire department, spoke briefly. Judge Vinsonhater responded to the toast, "The Ladies." W. S. Summers responded to the last toast, congratulating the members upon their association and the banquet.

The meeting closed with the singing of "Auld Lang Syne," led by Mayor Moore.

Those Who Attended.

The members of the Veteran association seated at the board were: John Baumer, president; F. H. Koesters, secretary; John A. Creighton, D. P. Beard, Nathan Elliott, Julius Treitcheke, Morand Schutt, Charles Jeffrey, W. M. Bushy, Fred Schaffer, Charles Edmondson, Stephen Mealie, Julius Rothholz, F. L. Ruff, Peter Beesen, Andrew Frick, Aaron Cohn, Ed Maurer, J. T. Beard, J. W. Jardine, William Everitt,

MAYOR MOORES LAUDS THE FIREMAN

Urges in Connection the Necessity of Larger Appropriation for the Maintenance of the Department.

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TRAINMEN TO ASK ADVANCE

Committee of Brotherhood Will Appear Before Union Pacific Officials.

There is no longer any doubt that the trainmen of the Union Pacific, in accordance with the concerted action planned by the trainmen on all the roads throughout the country, will demand an increase in wages. The switchmen will be in on the proposition, as was confirmed yesterday by a leader of that body, who said that his men would meet within a few days to formulate their plans. They are affiliated with the trainmen here and will ask for the scale which has been granted the trainmen of seven cents and others a cent an hour. The general rate of increase to be demanded, it is understood, is 20 per cent.

It was given out at President Burt's office yesterday morning that the trainmen of the Union Pacific had made no demand as yet and had not advised the company of their intentions. The committee probably will be in the city this morning, and as President Burt and Mr. Buckman are expected back today, a conference between the officials and the trainmen is probable.

President Burt has maintained all along that "our trainmen are not thinking of any increase in wages; they are getting good wages and they are an intelligent set of men and will not be unwise enough to ask for more money."

Notwithstanding this, however, it has been definitely learned that the Union Pacific trainmen do want more money and in order to get it have allied themselves with the general movement involving the

co-operation of the trainmen all over the country. As was originally stated in The Bee, this movement was inspired by the conservative element of the trainmen and sprung from a determination to bring wages up to a corresponding level with the vast earnings of railroads and the increasing cost of living.

It is a fact that wages have not been lowered and trainmen admit that if the general cost of living had not advanced so materially their incomes would be entirely satisfactory under the present conditions, they say they are not. Therefore in view of this fact and the fact that from year to year the earnings of all railroads have been going up by leaps and bounds, those of the officials have been outstripped all records, it is nothing but fair, they contend, that the men who produce this wealth in a large measure shall share a more equitable division of the revenues.

Elkhorn Has New Schedule. The trainmen on the Fremont, Elkhorn & Missouri Valley road have already presented a demand for higher wages and new schedules and their conferences with the officials have been closed, with the result that a new schedule was drawn up, said to be satisfactory to both sides. The details of this schedule cannot be learned, as it has not been signed, but it is believed there will be no further trouble.

The trainmen on the Burlington have not presented any demand as yet to General Manager Holdrege.

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WHILE MAKE YOU FEEL YOUNGER.

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RECEIVER FOR INSURANCE COMPANY.

CHICAGO, Nov. 12.—Philip J. Maguire was today appointed receiver for the assets of the Marquette Mutual Life Insurance company, upon a petition filed by State Insurance Superintendent Yates, who declared that the company was insolvent. An injunction was also secured restraining the officials of the company from further proceeding with its business.

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