

RAILROADS MAY ENJOIN CITY

They Are Expected to Carry Assessment Controversy to State Courts.

LIKELY TO DELAY THE TAX LEVY SOME

Enter Issue Turning on Constitutionality of Exemption Clause in Charter May Be Settled by Injunction Proceedings.

While there have been no new developments of a manifest character in the railroad assessment cases since the adjournment of the Board of Equalization it is generally understood that the controversy as to the city's right to assess railroad property independently will be taken to the courts for as speedy adjudication as possible.

An attorney for one of the railroads principally affected has said that plans have been perfected to institute proceedings in court at an early date to contest the assessment. The present plan is to apply for an injunction to restrain the mayor and city council from imposing a levy upon the railroad property as it is assessed, and the case will be brought in the state rather than the federal courts.

Advantage in Taking Initiative.

By taking the initiative the railroads receive the choice of the tribunal before which the application shall be made and will be able to go before that judge in the district court which they think most favorable to their contention. It is said that they can bring into injunction proceedings the entire issue turning on the constitutionality of the exemption clause of the charter, which has been ignored on the ground that it is in conflict with the constitutional provision with reference to uniformity of taxation within the taxing district.

Whichever way the lower court may decide the case will be appealed to the supreme court and it will doubtless be advanced in the same manner as the franchise tax cases last year.

May Hold Up Levy Ordinance.

The most serious feature of the injunction method of testing the assessment would be that it would hold up the levy ordinance until a final decision is reached and thus prevent the city from drawing upon its tax resources for 1903. Last year the levy was held up four months and all of the most officers and employes kept out of their salaries for that length of time. They were not even able to get warrants to discount, but had to make assignments of their salaries to get money advanced to them. Whether they will have to go through this procedure again will depend upon the promptness with which the courts act if the levy is enjoined.

THREE IN BUTTER BUSINESS

Police Corral a Trio that Engaged in Trading Pound Prints for Lonesome Drinks.

Three walking dairies were arrested Saturday evening by Charles W. Lewis, Billy Martin and Henry Johnson, a colored pair, were arrested while peddling butter on Sixteenth street. When taken into custody Lewis had his pockets filled with one-pound prints of butter, while Martin was similarly laden. The officers traced the men to the sales and found that the butter, while in their possession had depreciated rapidly in market value, and when put up at McKenzie's saloon brought only the price of one drink. At Kruse's saloon, 623 North Sixteenth street, the price of butter suddenly leaped several points on the market and brought two drinks. While continuing their search of the commercial value of the product the officers located Johnson at the corner of Twelfth and Capitol avenue, disposing of one-pound prints with a lavish hand. All three men were arrested and will have a hearing Tuesday.

Will Do All This for You.

Dr. King's New Life Pills puts vim, vigor and new life into every nerve, muscle and organ of the body. Try them. 25c. For sale by Kuhn & Co.

Leave Chicago 12 Noon; Arrive New York 8 A. M.

Chicago time, going through in twenty hours on The Pennsylvania Special, made up of club car with bath and barber shop, dining car, drawing room and compartment sleeping cars, and entirely new observation compartment cars. H. R. Dering, A. G. P. Agt., 248 South Clark St., Chicago, will answer inquiries on the subject.

Mortality Statistics.

The following births and deaths were reported at the office of the Board of Health in the course of the forty-eight hours ending at noon Monday:

BIRTHS—Hans C. Peterson, 562 William street; John Lof, 1527 South Eighth street; girl, John Heber, 1411 Jones street; boy, Hans, 616 Marcy street; girl, E. Murray Hill, 2121 Pierce street; boy, Joel Barlow Reynolds, 2127 South Thirtieth street; girl, Edwin Melzer, 2440 South Nineteenth street; girl, Desha-Mallory, 2424 1/2 South Nineteenth street; aged 55 years; M. DeWitt, 1915 Elm street, aged 45 years; Frank Jelen, ex. 1233 South Fourteenth street, aged 79 years; Julia Farrell, 1917 Lake street, aged 79 years; Alice Larson, 1009 Dorcas street, aged 4 days; Edmond H. Wood, 307 Pine street, aged 90 years.

Starting and Staying.

At the start is a long race, the advantage often appears to be with an outsider. But the race is won not in starting but in staying. The quality which wins is staying power. It is so in the race of life. Staying power wins. Staying power is the rule the best stayer is the man with the best stomach. All physical strength is derived from food which is properly digested and assimilated. When the food eaten is only partially digested and assimilated there is a loss of nutrition which means a loss of strength and the general result is physical breakdown.

Dr. Pierce's Golden Medical Discovery gives strength and staying power, because it cures diseases of the stomach and other organs of digestion and nutrition. It enables the perfect digestion and assimilation of the food eaten, and so strengthens the body naturally by the nutrition derived from food.

"I was troubled with indigestion for about two years," writes Wm. Bowker, Esq., of Juliaetta, LaSalle Co., Idaho. "I tried different doctors and remedies but to no avail, until I wrote to you and you told me what to do. I suffered with a pain in my stomach and left side and thought that it would kill me. Now I am glad to write this and let you know that I am all right. I can do my work now without pain and I don't have that tired feeling that I used to have. Five bottles of Dr. Pierce's Golden Medical Discovery and two vials of his 'Pleasant' cure me."

Accept no substitute for Golden Medical Discovery. There is nothing "just as good" for diseases of the stomach, blood and lungs.

Dr. Pierce's Pellets are easy and pleasant to take. A most effective laxative.

LESSON FOR FREIGHT AGENTS

Fifteen of the Northwestern's Men Come to Omaha for Instruction.

H. C. Cheyney, general agent of the Chicago & Northwestern railway, was yesterday in charge of a school of instruction for the freight agents of the Iowa division of the line. Some fifteen strong, the agents assembled in Omaha yesterday. An interesting course of educational speech began at once, and continued till 5:30 last evening.

The morning's program was a visit to the Webster street station and an inspection of the terminals of the road generally. Lunch at the Commercial club, and in the afternoon the freight men visited South Omaha. There the chief business was an object lesson in loading.

The idea in this gathering is the improvement of the service by increasing the business capacity of the freight agents. The department of railroading, the agents of the Iowa division met once a month for this purpose, gathering at different points on the line in turn. Thus they become familiar eventually with the conditions and facilities all over their road. This was their first visit to Omaha.

The visiting agents were: L. L. Smullen, Clinton; R. H. Snyder, Cedar Rapids; C. F. Miley, Des Moines; T. W. Hill, Tama; P. B. Garvin, Marshalltown; O. H. Adams, Boone; J. H. Mahoney, Des Moines; J. F. Montgomery, Council Bluffs; W. N. Bardwell, Belle Plaine; R. C. Hills, Missouri Valley. General Agent Cheyney was assisted in showing the men around by H. S. Jaynes, agent at Omaha; J. J. Sherlock, Union Pacific and Northwestern joint agent at Union station; A. A. Jasmier, agent at South Omaha, and John Mellen, traveling passenger agent, who was on detached duty as guide for the freight exponents.

NELLIE PRINCE SHOWS FIGHT

Will Resist the Attempt of Officers to Bring Her to This City.

Information has been received by Chief Donahue, notifying him that Mrs. Nellie Prince, who was arrested in Chicago upon the charge of the Omaha department that she had stolen \$500 worth of furs from the Kilpatrick store, had been released on a cash bond of \$1,500. The hearing of Mrs. Prince in Chicago, that it may be determined whether the charge will warrant her return to this city, will be held Wednesday. Mrs. Prince has retained the law firm of Kern & Fuller to defend her and will put up a bitter fight to prevent being brought back to Omaha.

While speaking of the noted prisoner Monday, the chief said that she had never been known to pay for any stolen goods and had never spent a day in the penitentiary, though she had been under arrest and had been tried on numerous occasions. Mrs. Prince is said to possess considerable property in Des Moines, and also in Chicago Heights, a suburb of Chicago. Her estate is valued at over \$20,000.

Chief Donahue stated yesterday that a well known able lawyer in Chicago would be retained by the city to care for this city's interests in the proceedings. The chief expects to attend the hearing. He also expects that Chief Dunn of the detective department, if the court rules in Omaha's favor, will return with his prisoner not later than Thursday.

FINDS BROTHER MURDERED

Amos Glazer of Omaha Reads of the Killing of His Missing Relative.

Amos Glazer, a gardener, who resides on Fort street, near the boulevard, has located his long lost brother, Gus Glazer, through the medium of a new item in an Omaha paper. The article stated that Gus Glazer, a third cook in the Washington hotel, Kansas City, had been shot and killed by C. Posen, a dishwasher in the same hotel. Glazer died while enroute to the hospital.

Thinking that perhaps it was his relative, from whom not a word had been heard in some years, Amos Glazer sought the services of Chief of Police Donahue, who sent the news item and a letter to Chief Haynes of the Kansas City department with a request that an investigation be made to determine the identity of the dead man. Yesterday a reply was received which stated that the murdered man was a brother of Amos Glazer of this city.

Glazer said yesterday that his brother was formerly employed in the Heintzsch & Schlitz cafe prior to his departure for the south, and that since he left not a word had been received from him as to his whereabouts. Glazer will be unable to go to Kansas City to attend the funeral of his dead brother.

COPY OF KELLY CONTRACT

Mr. Hoobler's Lawyer Wants to Know Why County Parted with Original.

Attorney W. A. DeBord, for George W. Hoobler, called at the rooms of the county commissioners yesterday to again request to see the bond contract entered into by the commissioners and the firm of Kelly & Kelly at the time of the refunding of the \$268,000 issue last spring. Commissioner Harte showed him a copy of the contract, with the explanation that it had just been received from Kelly & Kelly in response to a request sent after Mr. DeBord called last Friday.

Monday afternoon the attorney had a copy of the copy made, and said: "Until I can show this to Mr. Hoobler and talk over the matter with him I cannot say what action he will take. I will say, however, that a copy of the contract is a very unsatisfactory thing to be shown. The contract itself belongs here in the county clerk's office, and I cannot understand how the commissioners could have let so important a document get away. If Kelly & Kelly really have it the commissioners should demand its return at once and let the brokers hold the 'copy.'"

No Alimony Allowed Here.

Mrs. Grace Bruce's motion for alimony and attorney's fees in the divorce suit instituted by her husband, George H. Bruce, was overruled yesterday by Judge Dickson. The big room looks to be a house in the order of the New York court which has a very large number of cases pending in the court at this time for separate maintenance after her husband's death. She is now resident in Omaha and practicing law here.

Cleaning the Big Court Room.

For the first time in four years district court room No. 1 is being given a thorough cleaning. The furniture has all been moved back out of the way, the carpet taken up and the floor cleaned. In this condition the big room looks so much like a dance hall that one of the balliffs, for a joke, started the report that the balliffs the court are planning to have a ball there during vacation and solicited a number of attorneys who are in politics as well as law to buy tickets. The "buff" worked so well that several of the latter agreed to contribute their simoleans to the enterprise.

Publish your legal notices in The Weekly Bee. Telephone 221.

MORE SHOPMEN ON A STRIKE

Union Pacific Locomotive Wood Workers and Pipemen Go Out in a Body.

DOE TO BURTS' PIECE WORK SYSTEM

Order Putting New Method in Force Is Posted in Shops and Walkout of Men Affected Follows at Once.

The locomotive wood workers and pipemen at the Union Pacific shops went on strike yesterday. The efforts of President Burt to force the piecework system on the men still employed at the shops brought about this latest accession to the ranks of the strikers.

When the wood workers appeared for work yesterday they were informed by the foreman to the effect that after this date they would be paid by the piece. Fifteen of the men immediately rejected the new terms and they were discharged. At noon thirty-five more of the wood workers walked out on strike, leaving only two or three men in the department. Heretofore the men have been working by the hour and they assert that they would be unable to do nearly so well by the piece. "We would rather starve now and work for our money," said one of the strikers.

Up to this time the wood workers had not been concerned in the strike of the machinists, boiler makers and blacksmiths, as no attempt had been made to introduce the piecework system with them, and they were satisfied with the wages they were earning by the hour.

Recently the wood workers, in anticipation of trouble with the company, formed an organization, which will be affiliated with the American Federation of Labor. All of the wood workers at the Union Pacific shops, with the exception of the two or three who did not walk out yesterday, are in the new union.

Pipemen Struck Friday.

The trouble with the pipemen began Friday, when the first orders to put them on piecework was posted at the shops. All of the pipemen laid down their tools, refusing to proceed under the new order. At the request of the foreman they waited at the shops until communication was had with headquarters and the order for piecework was rescinded. Then the men went back to their tasks after a suspension of operations for half an hour.

Pipemen were of the opinion that their troubles had ended when one of the leaders, John Ennis, finished his week's work Saturday night, he was notified that his services would no longer be required. It was the discharge of Mr. Ennis that caused the pipemen to strike yesterday morning. They appeared at the shops with a request for the reinstatement of Mr. Ennis and when this was denied they walked out.

New Thirteen-Cent Stamp.

A new stamp containing the portrait of one of our late presidents is about to be issued by the government. It is to be a 13-cent stamp and will be used principally in the foreign registration service. This information will probably not interest the public as much as the news that Hostetter's Stomach Bitters positively cures indigestion, dyspepsia, headache, liver and kidney complaints and malaria fever and ague. Try a bottle and satisfy yourself. Beware of counterfeits.

CHARLES WOOD FOUND DEAD

Theory that He Took an Overdose of Opium to Alleviate Pain.

Charles Wood, son of Captain John E. Wood, was found dead in bed at his residence near Twenty-fifth street and Indiana avenue Sunday morning by members of his household. The cause of death is a mystery, though it is supposed Mr. Wood died from an overdose of opium, which was prescribed by his physician, or from disease of the heart. It is to be a 13-cent stamp and will be used principally in the foreign registration service. This information will probably not interest the public as much as the news that Hostetter's Stomach Bitters positively cures indigestion, dyspepsia, headache, liver and kidney complaints and malaria fever and ague. Try a bottle and satisfy yourself. Beware of counterfeits.

Wood served with the Thirty-ninth volunteer infantry in the Philippine islands, where he won the admiration of his officers by his gallantry and fine physique. The service in the islands shattered his health, and for the last two years he had suffered from the exposure endured in the army.

RING WORM AND DANDRUFF.

They Are Each Caused by a Festerious Germ.

Ring worm and dandruff are somewhat similar in their origin; each is caused by a parasite. The germ that causes dandruff digs to the root of the hair, and saps its vitality, causing falling hair, and, finally, baldness. Without dandruff there would never be ring worm. The cure of dandruff it is necessary to kill the germ. There has been no hair preparation that would do this until the discovery of Newbro's Herpicide, which positively kills the dandruff germ, allays itching instantly, and makes hair glossy and soft as silk. At all druggists. Take no substitutes. There is nothing "just as good."

Lady Wants Position.

A young lady with exceptional reference and ability wishes a position with good house as cashier or office employe. Moderate salary if advancement is promised and position permanent. Address T 62, Bee office.

Low Rates South, Southwest and West.

On January 20 and February 3 the Burlington offers special low one-way and round trip rates to many points south, southwest and west.

City Ticket Office, 1502 Farnam St., telephone 250, or at passenger station, 10th and Mason sts.

Railway Notes and Personal.

H. F. Postreger, ticket agent for the Washburn railroad at Kansas City, is in Omaha.

S. H. Warner, freight agent of the Chicago & Alton railroad at Bloomington, Ill., is in the city.

A. M. Rathbun, superintendent of the Missouri Pacific railway headquarters at Alton, Mo., has just received from the city a copy of the new regulations and instructions to agents. The pamphlet is called "The Monitor" and the methods of instruction are original. It comprises a set of questions and answers covering every detail of the conditions of situation which might be brought to the attention of any agent in connection with the Missouri Pacific railway at Alton, Mo., has just received from the city a copy of the new regulations and instructions to agents. The pamphlet is called "The Monitor" and the methods of instruction are original. It comprises a set of questions and answers covering every detail of the conditions of situation which might be brought to the attention of any agent in connection with the Missouri Pacific railway at Alton, Mo., has just received from the city a copy of the new regulations and instructions to agents. 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