

NO WORD OF TRUTH IN IT

What J. H. McIntosh Says of Articles Being Sent Out by Railroads.

CALLS ATTENTION TO HOUSE ROLL 171 Lawyer Maintains That Pending Bill Does Not Amend Statutes Under Which Counties Levy Taxes on Railroads.

James H. McIntosh, counsel for the Omaha Real Estate exchange, speaking of the tax article being sent to Nebraska newspapers by the railroads, said:

"The article, the railroads are sending out in the name of the state, is a mere attempt to pay for its publication, in which they say that the bill now pending before the legislature to require railroad property within metropolitan cities to be valued for taxation for city expenses by the same assessors that value other property within the city for taxes is an attempt to deprive the outside counties and districts of Nebraska of from 25 to 75 per cent of the railroad taxes which they heretofore have received."

"When the offer was publicly made at Lincoln last week to pay \$1,000 for any charitable institution if the railroad would show how this bill would deprive the state, any county or school district of the state of one penny of railroad taxes the railroad attorneys there present did their utmost to get it passed, but it was not, and did not say so when their falsehood could be publicly exposed."

"The railroad taxes the state, counties and school districts collect are levied under sections 29 and 40 of the revenue law, being chapter LXVII of the Nebraska statutes. House roll 171 amends section 28 of chapter XIII of the Nebraska statutes. It does not amend sections 29 and 40 of the general revenue law. It does refer to sections 29 and 40 of the general revenue law, it does not in any manner or form affect sections 29 and 40 of the general revenue law."

Ask Some Direct Questions.

"Therefore, if it does not amend or affect the sections of the general revenue law under which railroad taxes for state, county and school purposes are levied and assessed, how in the world can it affect the state, county and school taxes the railroads pay?"

"Why did not the railroads send the press of the state a copy of House Roll 171, and let the editors judge for themselves? Or why did they not tell them the Omaha tax scheme did not touch or affect the laws under which the counties, school districts or school districts get their railroad taxes?"

"Why did they not say to the press of the state that the object and purpose of the bill was to require the city tax commissioner who values all other property in the city for city taxes to value the railroad property within the city for the same purpose, and nothing more? And that the bill would have no other effect?"

"If they had sent the state press copies of the bill, or told them the truth about it, they need not have inclosed their article for 'local or editorial columns,' nor troubled themselves to 'send you check for same.' Their check could not hire the state press to publish this false article as 'local or editorial.' If the railroads had disclosed the truth to the editors."

"Knowing the truth, the editors, if they said anything about the locality of editorially, must have said that House Roll 171 was perfectly fair. Why not? Why is it not fair for railroad property within metropolitan cities to be valued for city taxes by the same assessor that values other city property within the city for city purposes? Should the railroads object to that is not the officer who is good enough to value for city taxes the household effects of the poor cottager also good enough to value the city property of a rich railroad for city taxes. This is the question raised by House Roll 171, and no other question. It needs no falsehoods to support it. Falsehoods or other methods cannot defeat it. The plain and simple justice of it insures its becoming a law."

HALF RATES

Via Wabash Railroad.

Mobile and return, \$28.35; New Orleans and return, \$29.50; Havana, Cuba, and return, \$35.25; sold February 17 to (plus) Half rate one way and round trip to \$22.32 to many points south on sale the first and third Tuesdays of each month. For full information call at Wabash office, 1601 Farnham street, or address Harry E. Moorcos, G. A. P. D., Omaha, Neb.

Storekeeper Has an Encounter.

While attempting to settle a controversy over a photograph record in H. E. Fredrickson's store on Capital avenue yesterday the proprietor was badly beaten by J. C. Jones, who, when cornered by the employees of the store, drew his gun and held them at bay. After being knocked down by the customer, Fredrickson called for the police. Jones was taken to the station, where he admitted having knocked Fredrickson down to defend himself. He was released on bond.

Gloomy thoughts

become habitual to the dyspeptic. He looks on the dark side of things and every mole hill becomes a mountain. His condition affects his business judgment and mars his home relations.

Dr. Pierce's Golden Medical Discovery

cures dyspepsia and other diseases of the organs of digestion and nutrition. It gives buoyancy of mind as well as health of body because it removes the physical cause of mental depression.

TO FIND FOR COMPLAINT

Court Orders Kerdist for National Surety Company in Humboldt Bank Case.

A telegram from St. Louis announces that the case of the National Surety company against the State Bank of Humboldt, Neb., has been reversed and a writ of habeas corpus granted for a verdict for the complainant.

Calculations Are Difficult.

It was shown that should the council base its apportionment and levy on the assumption that the railroad assessment as fixed by the city was valid, and that assessment then be held by the courts to be unwarranted under the law, the calculations would be entirely thrown out and there would not be funds to meet the apportionments. On the other hand, if the council should base its levy upon the as-

UNION PACIFIC'S COMPLAINT

Petition in Tax Matter is Not the Same as that of Burlington.

The petition in the case of the Union Pacific Railroad company against the city of Omaha and the municipal officers, filed at Lincoln Saturday night, has been received at the office of the clerk of the United States circuit court here.

The petition, so far as its legal phases go, follows closely the propositions laid down by the attorneys for the Burlington road, but the case presents some features not shown in the case of the Burlington. After the formal caption the petition sets out the facts as to the purchase of the Union Pacific railroad property by the present company and the proceedings by which the property was acquired. It then refers to the law of the state and the provisions of the city charter for the assessment of railroads, maintaining that the city tax commissioner and city Board of Review have no power in the matter of railroad assessments further than to accept the assessments as reported by the State Board of Equalization. It further states, without qualification, the State Board of Equalization assessed all of the property of the railroad with the exception of the headquarters building and the property connected with the shops at its actual value for each mile of track, finding that value to be \$9,000 per mile, and that the auditor so certified to the county clerk of Douglas county; that the total mileage of the road within the city is 6,903 miles, and the valuation so assessed \$62,727,000; that the city tax commissioner assessed this property at \$6,764,940 and the Board of Review raised the figures to \$14,883,280; the petition then says that if this is permitted to remain the road will be deprived of equal protection of the laws and will be deprived of its property without due process of law, contrary to the provisions of the constitutions of the state and nation.

The petition then takes up the question of personal assessment other than that of the right-of-way, saying that the tax commissioner found horses, machinery and other property to the value of \$18,450, at which figure he made return to the Board of Review, but the Board of Review upon the complaint of George T. Morton and upon its own motion, without investigating the matter, increased the assessment to \$1,011,250, which was affirmed by the Board of Equalization. The petition then sets up that the tax commissioner's figures are correct and that the boards which reviewed them had no power to make the increase in the figures, which if permitted to stand will deprive the company of property without due process of law. Its prayer is that the tax commissioner be compelled to accept the figures of the State Board of Equalization for the right of way, \$67,650, and the tax commissioner's figures, \$18,450, for the other personal property of the road, which would make a total assessed valuation of the property of the road, exclusive of real estate, of \$254,100.

Deputy United States marshals were serving the papers in this case upon the city officials yesterday and the application is set for hearing February 16.

A digestive nutritive, delicious Champagne-Cook's Imperial Extra Dry. Nothing better ever made from the juice of grapes.

Announcements of the Theaters.

At the Boyd tomorrow night Kyrle Bell, one of the best actors, as well as one of the handsomest and most romantic figures who has graced the English-speaking stage in our generation, will revisit Omaha after seven years' absence. His return to the New York stage last season was hailed by the critics and the public as the chief event of the dramatic year, and his present vehicle, "A Gentleman of France," was proclaimed the greatest dramatic triumph of the season on Broadway.

Choice Pastry Recipe.

One cup self-raising On Time Corn Flour, one and one-fourth cup sweet milk or water; stir a smooth batter and bake on a hot griddle.

Publish your legal notices in The Weekly Bee. Telephone 238.

DEAD LAMP POSTS REMAIN

Gas Company Falls to Utilize Them in Placing New Lights.

The old light in the city council as to the location of new gas lamps and the removal of old ones from locations where there are electric lights was recalled yesterday afternoon when the body met in special session for the passage of an appropriation ordinance to provide for the payment of January expense bills. Included in this ordinance were warrants in favor of the Omaha Gas company amounting to between \$1,200 and \$1,500 for posts for new gas lamps ordered recently, and for that reason Mr. Whitehorn voted on the passage of the ordinance. There were five affirmative votes without that of Mr. Whitehorn, and the ordinance was passed, with the gas company's bills included.

When asked for an explanation of his vote, Mr. Whitehorn said after the meeting that the council had at one time ordered the gas company to use the old posts in locating the new lamps, but the company had disregarded the order and used the new posts, at a cost to the city of \$12 each, whereas the cost of removing the old posts would have been only \$4 each. He said he believed there were about 200 dead posts in the city now that in their present condition were simply eyesores, whereas they might be put into service.

The customary salary ordinance was not passed at this time, as there are no funds for the payment of the salaries of city officers and employees, and will be none until the new tax levy becomes available.

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Used by people of refinement for over a quarter of a century.

PREPARED BY J. H. Lyon, D.D.S.

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BRANDEIS BOSTON STORE & BONDS 4 Per Cent Interest paid on Deposits

SPECIAL SALE TUESDAY \$1.00 CORSETS at 48c

1,250 high grade straight front corsets made of best quality French batiste with hose supporters attached, medium length, all sizes -go on bargain square at- each 48c

50c and 69c Waistings at 39c 2,000 yards of silk waistings in the newest and prettiest plain, dotted and striped effects, Persian designs, worth easily 50c and 69c-at 39c

Silk Striped Waistings at 39c 1,750 yards of silk striped waistings, in cream, sky and all colors-pretty new figures and dots-at 39c

25c Embroideries at 7c Yard-One large bargain square with big lots of all kinds of embroideries and insertings, nice fine quality, content and dainty patterns-many worth up to 25c-go at 7 1/2c

50c Golf Gloves at 15c-All the odd lots of ladies' and children's all wool golf gloves and mittens-a great many styles-sold up to 50c a pair, at 15c

Spring Suits Made-to-Order Our display of a New York tailor's company's model suits and skirts, which has won so much enthusiastic approval from Omaha ladies during the past week, is to be continued. Here is an opportunity to see the very latest spring conceptions. Have your spring suit made to your individual measure and fashioned according to your own fancy.

35c Mercerized Waistings at 19c A grand lot of the very finest white mercerized waistings in basket effect, etc., very effective and extremely popular, actually worth up to 35c-go at 19c

25c White Goods at 10c White goods, such as India linens, nainsooks, fancy weaves, in lace effects, worth 25c-go at 10c

BRANDEIS-Bradenberg and percales, in 36-in. wide, in floral designs, dots, stripes, etc., worth 15c, go at 6 1/2c

GINGHAMS-Bargain square of fine gingham, such as French, Scotch and chambray gingham, 36-in. wide, worth 15c, go at 8 1/2c

25c Dimities at 8c Yard Dimities, immense lot of all kinds of dimities, lawns, batistes, etc., in the newest floral designs, worth 25c-go at 8 1/2c

Watch Our BRANDEIS BOSTON STORE & BONDS Watch Our Windows

CITY TAX LEVY IS BLOCKED

Railroad Injunction Cases Hold Back Report of Tax Commissioner.

COUNCIL PROBABLY WILL TAKE RECESS Hope to Have Order of Court Vacated or Modified February 16 so that Council May Pass Levy Ordinance.

Because of the injunction proceedings instituted by the railroad companies against a levy of taxes upon the assessment of their property as fixed by the city authorities, the council itself is confronted by a most perplexing problem and has decided to defer final action in making the tax levy until after February 16, the date set for hearing in the federal court the injunction application of the Burlington road.

As arranged last week the councilmen met yesterday morning for a conference as to the apportionment of funds to the different city departments and the rate of taxation necessary to produce the needed aggregate amount. Prominence was regarded as necessary from the fact that the charter provides that the council may not act at the first regular meeting of the city council in February. One of the essential features of this meeting is the certificate of the tax commissioner as to the assessed value of all taxable property in the city, for it is upon this certificate that the levy must be based. When this document was called for the difficulties of the situation became for the first time apparent, for in the order of court granted on behalf of the Chicago, Burlington & Quincy railroad, Mr. Fleming, as tax commissioner, is for the time being restrained from making any return to the city council of the railroad properties upon the assessment as fixed by the Board of Review and the Board of Equalization, or any other assessment of those properties that is fixed by the State Board of Equalization.

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.

Bohemians to Welcome Koelan. The violinist, shall be welcomed to the city by the Bohemians in a way that was Kubelek, his predecessor. The Bohemians met Sunday night in Turner hall for arrangements for the reception of the artist, who comes here on February 20. An elaborate program of entertainment and reception will be carried out. Steps were also taken at this meeting to ask for reduced rates on all the railroads, the same to apply within a radius of 20 miles from Omaha.

Dr. Lyon's PERFECT Tooth Powder Used by people of refinement for over a quarter of a century. PREPARED BY J. H. Lyon, D.D.S.

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Only 7 Days BENNETT'S GREAT PIANO SALE IS STILL ON.

The court has decreed that all Bennett's stocks be sold to highest bidder on FEBRUARY 10TH, 1903.

Prospective Piano Purchasers are herewith notified that never in history could a first-class up-to-date Piano or Organ be Bought on Easier Terms than the terms we are prepared to make for the next seven days.

3 Carloads of belated pianos arrived end of last week. Among them were such superb instruments as-

The Everitt, Ivers & Pond, Chase, Starr, Richmond, Harvard and many others. All in the very latest designs in wood. Each and every one of them being-

1903 Colonial Styles. REMEMBER NONE OF THESE PIANOS HAVE BEEN IN ANY RAILROAD OR STEAMSHIP WAREHOUSE WHEREBY THE INTERIOR MIGHT BE SO DAMAGED THAT AN INEXPENSIBLE BUYER WOULD BE ASKED TO PURCHASE A DAMAGED PIANO AS ONE THAT IS PERFECT

During this sale we will take SECOND HAND UPRIGHT PIANOS, OLD SQUARE PIANOS or ANY SECOND HAND ORGAN as first payment on our new pianos-the balance to be paid on

Terms to suit buyers, from \$1.00, \$1.50, \$2.00 to \$2.50 per week.

CALL ON US and see our goods-get our prices before purchasing.

New Pianos sold as cheap as other dealers will sell Second Hand Pianos

We traded last week seven or eight fine organs-all have been thoroughly OVERTHAILED, CLEANED, REPAIRED and TUNED. They must be sold. Come and look them over, and we will make

Every Piano and Organ in the house must go quick. We give elegant stool and seat FREE with each piano sold. All pianos sold

On Easy Payment Plan. SHEET MUSIC We yet have a very large supply of sheet music, music books and following musical merchandise of all kinds. These

Will Be Sacrificed This Week Write us, call and get our prices and terms on Pianos, Organs, Sheet Music and musical instruments.

J. S. Cameron, Manager Piano Department, 1st and 2d Floors. BENNETT'S

Women's \$3.00 Welts We haven't said much lately about our \$3.00 welt shoes-fact is, they have become so popular with the public that we don't find it necessary to say much-yet today is a day when welt shoes will be very popular-for you can't have welt feet when you wear a pair of these \$3.00 welts-so we just want to call your attention to them as health preservers-the foot rests on the sole-so the feet can get wet-all shapes of feet, from extreme mannish to medium round.

DREXEL SHOE CO. Omaha's Up-to-Date Shoe Makers: 1419 FARNAM STREET.

A "Clean-Up" Sale of Men's Suits

TOMORROW WE OFFER A GATHERING OF MEN'S SUITS THAT WE HAVE ASSORTED INTO TWO LOTS. THESE SUITS WHEN MARKED AT THEIR ORIGINAL SELLING PRICES WERE CONSIDERED WONDERFUL VALUES. AT THE PRICES THEY GO AT NOW WILL SURELY MAKE THEM ABSOLUTELY THE BEST VALUES OF THE SEASON.

\$10.00 Suits for \$7.50 \$13.50 Suits for \$9.00

These suits are made of the best Washington Mills black chevrons, they are lined with the best of former satin lining-they are absolutely \$10.00 value-for 7.50

These suits are made of the very best English blue serge, lined with the very best of serge lining-They come in all sizes and a perfect fit is assured-\$13.50 value-for 9.00

Nebraska Clothing Co. CLOTHES FOR MEN AND WOMEN

MARDI GRAS New Orleans, La. WHAT MARDI GRAS IS.

(Continued from yesterday's issue.) No. 1. Kean rivals are these societies, although cooperating to a single end; and so secure their prestige that even the possibility of their membership is unknown outside the council chambers. But they work the whole year through, and they spend for such purpose fabulous sums of money. The result is a brilliant succession of costume balls, masked balls and street parties. The features of the latter are boats, or cars, on which is illustrated in spectacular grotesqueness some well-known subject. For instance, a recent pageant presented by the Krewes of Proteus represented by nineteen boats the legends of August and the Gods-the myths of Boan-Boan; and the Krewes of Proteus were based upon scenes and incidents from the pages of Ferns Hume's "Chronicles of Fairy Land-Fantastic tales for Old and Young," in which he himself assumes the character of the King of Fairy Land, and which were portrayed by twenty boats, presented, as usual, by a car containing the Boat King, or the fated six, for the sacrifice, grotesquely which inaugurated the festival; and one of the pageants of the Mardi Gras of Corpus beautifully illustrated with twenty boats the "Sings of Long Ago;" "Landlord Fill the Flowing Bowl;" "Listen to the Mocking Bird;" "Home, Sweet Home;" etc.

(To Be Continued in Tomorrow's Issue.)

Long limit and stopovers allowed. Copy of Mardi Gras booklet at 1402 Farnam St., or write, W. H. BIRCH, District Agent, Illinois Central Railroad, Omaha, Neb.

\$29.50 Omaha to New Orleans and Return Feb. 17-22.

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Full Set of Teeth from \$30.00 Gold Crowns from \$24.00 Aluminum Plate from \$38.00

Union College of Painless Dentistry Room 4, 1522 Douglas. Open daily 11:15 to 10. Sunday, 10 to 1.

ALBERT EDHOLM, JEWELER, 107 North 16th Street, Opp. P. O.

QUALITY GOODS; PERFECT diamonds, \$25.00 to \$500; KREMMENTZ 14K Brooches, \$2.50 to \$100.00; 17, 21, 23 and 24 Jeweled Watches, \$50.00 to \$275.00. 18K Tiffany shape wedding rings, \$6.00 to \$15.00. Gorham, Whiting, Towle and Reed Bar on Silver pieces \$1.00, up. Hawkes finest blue, white cut glass, \$2.00 to \$150.00

Relieves Headache and Depressed Feeling. 25c a Box at Howell Drug Co., 16th and Capitol Avenue.

Howell's Anti-Grip Capsules Don't expect professional skill for nothing, it can never be. The best is the cheapest always.

BAILEY THE DENTIST 3rd Floor Paxton Block. Thursday one-third off on fillings, crowns and bridge work.

Purest Drugs at Lowest Prices \$1.00 Peruna \$1.00 Paine's Celery Compound \$1.00 S. S. S. Doan's Kidney Pills 50c Jaynes' Tonic Vermifuge 50c Syrup of Figs 25c Castor Oil 25c Carter's Little Liver Pills 15c Laxative Bromo Quinine 15c

Lathrop's Prescription Pharmacy, Corner 24th and Hamilton. Phone A142.

J. M. JOHNSON, The Druggist. PRICES ALWAYS THE LOWEST. N. W. Cor. 16th and Webster. Tel. 922.

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JOHNNY GOES BACK Again we can buy Irish Girls, Childs, Hand Made and White Knights of Johnny Mc. McCord, reader, him in his business, we want. This reminds us to inform stockers that we are still selling 9 Lillian Russell Cigars, not 25c but 25c 3 Cream Cigars for 25c 3 New Cuba Cigars for 25c 3 The straight Irish Girls for 25c and all the leading cigars, both 5c and 10c brands, for less than others. Don't you know "SCHAEFER'S RELIABLE" FOR "LUSH" is our motto? Can't you compare these prices and see? Alleck's Pinners, not 10c, but 10c 5c Burkhardt's Comp., not 40c, but 25c 25c Burkhardt's Comp., not 25c, but 15c 5c Castoria, not 25c, but 15c 5c Cuticura Balls, not 5c, but 25c 5c Doan's Pills, not 5c, but 25c

WHO GETS THE PACE? 5c Meeker's Cat Liver Oil, 60c 10c Peruna, not 5c, but 10c 10c Peruna's Remedy, not 5c, but 10c 10c Peruna's Remedy, not 5c, but 10c COMPLETE THEM-THAT'S ALL

SCHAEFER'S CUT P'CH DRUG STORE OPEN ALWAYS. Two Phones-747 and 797. S. W. Cor. 16th and Chicago Sts.