

ADAMS SUGGESTS A REMEDY

Assistant City Attorney Has Bill to Protect City on Special Taxes.

METHOD OF MAKING ALL IMPROVEMENTS

One Bill is Curative Measure and Other Amends Charter in Points Where It Has Been Found Defective.

Assistant City Attorney James H. Adams has prepared two legislative measures which are designed to remedy defects that exist under the present charter with relation to special assessments for street improvements.

Contents of Curative Bill.

The curative bill is explained largely in the title, which is as follows: "For an act to legalize and validate all proceedings connected with the levying and making of any local improvements heretofore made under the provisions of chapter 12A of the compiled statutes of the state of Nebraska for 1901, being an act incorporating cities of the metropolitan class, and to authorize reassessments for such improvements in cases where prior assessments for such improvements are irregular or void, or where such prior assessments were paid under protest and the money paid thereon has been or will be recovered back by suit at law."

The bill provides that whenever any special assessments made under the charter of 1897 are invalid, uncollectible or void or are found by any court for a variety of reasons, such as insufficiency of petitions, jurisdictional or other defects on the part of the city council, the mayor and the city council shall have the power to levy a new assessment or a reassessment of the special taxes. It is provided further that all proceedings connected with the making of any such local improvements under said act are hereby retroactively legalized and validated, and all defects in such proceedings and assessments are hereby cured.

This bill is to be introduced both in the senate and house, Senator Hall to be its sponsor in the senate and Representative Gilbert in the lower house.

For Charter Amendments.

The charter amendment to throw out safeguards for protecting the municipal purse endeavors to establish beyond question the legality of proposed improvements before a single step is taken toward the actual accomplishment of the work. It is made incumbent upon the city clerk within two days after the filing of any petition for improvements to deliver to the city attorney and the city engineer, each a certified copy of the petition. It then becomes the duty of the city attorney to examine the petition and signatures as to the form of law and to many fees frontage of taxable property has been signed for by the record owners, and to so certify to the city council. The city engineer is to certify to the council as to the total frontage of the taxable property and whether or not the property signed for is correctly stated, and attach a plat of the improvement district. Such certificates, when filed in the city clerk's office, are to be prima facie evidence of the truth and correctness of the statements. If there are not sufficient property owners signed, others may file a supplemental petition.

Publications and Petitions.

If the certificates returned show that the petition is regular, legal and sufficient, the city council shall direct the city clerk to publish the petition for three days in the official newspapers, with a notice informing the property owners concerned that they will have twenty days to file protests in the office of the city clerk. This provision shall not apply to petitions for the designations of materials to be used. The protesters are required to make their objections under oath and to furnish a bill of particulars as to defects. If a question as to the ownership of property is set up, the name and address of the true owner must be submitted, and the objectors must swear that they are objecting in good faith. After these objections are in the petitioners are allowed ten days to remedy any possible defects. This is part of the clause that follows:

When any protest has been filed with the city clerk within the time specified, the improvement petitioned for by said protest shall not be ordered until the city council shall have given the party protesting a hearing upon such protest and shall have upon the evidence, found, advised and determined said petition to be regular, legal and sufficient, and until such time as the period for perfecting an appeal from said finding, judgment and determination.

Consideration of Protests.

In case of protest the city council shall

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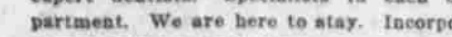
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meet with due and individual notice to protestants and consider the objections. If no protest be filed the council has power at regular or special meeting to determine the legality of the petition. In either case the determination shall be final and binding as in a court of inferior jurisdiction. No court may entertain an appeal except when made within ten days, and after filing a bond for \$2,000. All damages and attorney's fees are to be paid by the plaintiff if he loses. The remedy by appeal to be deemed exclusive, and the appeal must be made to the district court of the county within which the city is situated. The mayor and council must wait ten days after the council's decision as to the petition before ordering the improvements.

TWO POINTED EPITLES.

The Railroads or the People.

YORK, Neb. Feb. 10, 1903.—To the Editor of The Bee: It is a foregone conclusion that it rests with our present legislature whether in 1904 there shall be one regular session in the state of Nebraska, or three shall be two? It is for them to say. "The voice of the people is the voice of God." We demand that the railroads pay their honest share of taxes in the same proportion that other citizens pay. It is asking for more than the constitution itself says they shall do?

We demand that they be compelled to live up to the agreement in their charter, i. e., they shall not discriminate. Are they fulfilling their part of the contract, and is the public fulfilling theirs? Let us examine ourselves and let them examine themselves.

We said we would make it possible for them to procure the right of way through any farm, and if there could be no agreement as to price for damage it should be condemned and appraised. Have we fulfilled that contract? Yes. We voted thousands, yes, hundreds of thousands of bonds to aid them in building their roads. We agreed to lay taxes on our farms to raise the money. Have we, and are we fulfilling our promise? Yes. The railroad said, you fulfill your part of the contract and we will build the road. We will not discriminate against anyone. All shall have the same rights and privileges. We are here to serve the public. Every citizen has a perfect right to hire a car to take his freight. Have they fulfilled their part of the contract? Let us see and let them answer for themselves.

They have entered into an unholy conspiracy with the grain trust not to grant anyone outside the grain trust the right to build elevators or warehouses on the side tracks. They do not stop there, but refuse to furnish cars to ship grain unless you have an elevator and refuse to grant a right to build the elevator. Of course, the consequence is you have to sell to the grain trust, and if in some accountable way a car should be had the grain trust won't handle it at the other end. It looks like the railroad officials are in the elevator business themselves.

If they can break their contract, are we in duty bound to keep ours? Now, we are not asking them to lower freight rates. We are just asking the rights that other citizens have, but the voice of the people will prevail if we have to sweep the state house from top to bottom, for we know there are enough clean republicans, democrats and honest men in the state to carry out any measure that asks nothing but justice and equality. We can all agree on these points and they will not need a Baldwin to tell them what they want.

When bill No. 70 is in the hands of the senate committee we demand a hearing before said committee. We also demand our present legislature, if they wish to serve their constituents for the greatest amount of good to the greatest number, that they investigate and see whether there is and has been a grain trust to rob the farmer of the fruits of his toil, as they, with the railroad, have taken from the farmer the rights of an American citizen so he cannot sell the fruits of his labor to whom he chooses. We wish an investigation at once.

A FARMER.

Retrenchment versus Revenue.

AINSWORTH, Neb., Feb. 11, 1903.—To the Editor of The Bee: We hear very much these days about a new revenue bill, and one of its main objects seems to be to enable the state to raise more revenue, with which to pay off the state's \$2,000,000 indebtedness, illegally contracted. The state constitution prohibits a state indebtedness exceeding \$100,000.

Is it not strange that in connection with all this discussion no one has suggested a bill to stop the leaks and extravagance which make more taxes and revenue necessary? Are the heads of departments and state institutions to continue exhausting their several appropriations and then run the state in debt at their own sweet will and furnish defenses for each succeeding legislature? If so, then it matters but little to the taxpayers what kind of a revenue bill is enacted, as it will have to be revised again from time to time in order to raise sufficient revenue to meet these extravagant expenditures in excess of the constitutional limitations.

A bill to correct the above abuses and enforce a little economy in state expenditures would be of far more interest to the real taxpayers than the question whether their property should be assessed at its full cash value, or at one-third of that amount, and a little ginger in the mode of collecting taxes, that all may be compelled to bear their just proportion of public burdens, would be in keeping with the best public sentiment. There now pay their taxes would suggest that in drafting this new revenue bill it would be well to keep in mind the vast amount of outstanding, uncollected taxes throughout the state and that a revenue bill that will collect taxes in much more desired than that which will simply increase the burdens of those who already pay. And, above all, let us have some limitation upon useless and extravagant expenditures.

Nothing is so retarding to the growth and settling up of Nebraska, and especially the northern and western part of the state, as excessive and extortionate taxation. It is not only retarding immigration, but is actually causing parties now residing here, to invest their capital elsewhere, where taxes are reasonable.

The people of this part of the state are anxiously awaiting some symptoms of economy from the present legislature. Here is a field for some real statesman, who will also be a public benefactor.

L. K. ADLER.

DIED.

KING—Sophia, February 8, 1903, aged 67 years. Funeral from family residence, 2015 1/2 street, Thursday, February 12, at 2 p. m. Interment Laurel Hill cemetery. Friends invited to attend. Besides her husband, Augustus King, seven sons and five daughters. There are eight children here. M'COY—Sarah, infant daughter of Mr. and Mrs. Frank L. McCoy, aged 1 year and 2 months, Wednesday afternoon at 3 o'clock. Funeral services at the home of the parents, 1516 Georgia avenue, Friday afternoon at 1:30 o'clock.

Easy Man from Massachusetts.

Joe Garrity arrived in the city Tuesday from Lawrence, Mass., with more money than he knew what to do with. Yesterday he proved an easy victim for a "caper" who was waiting on the sale of watches in a Douglas street pawn shop and

BRANDEIS BOSTON STORE & SONS BARGAIN SALES THREE BARGAIN SQUARES OF LACES 1c, 3c and 5c. \$60,000 Worth Fine Shoes. Men's High Grade Shoes made for up to \$5 a pair. SPECIAL NOTICE Next Monday \$1 Waistings 25c Yard. Men's \$3 Shoes for \$1.98. Men's \$4.50 Shoes for \$2.50. Men's \$5.00 Shoes for \$2.50. Men's \$6.00 Shoes for \$2.50. Men's \$7.00 Shoes for \$2.50. Men's \$8.00 Shoes for \$2.50. Men's \$9.00 Shoes for \$2.50. Men's \$10.00 Shoes for \$2.50.

ALBERT EDHOLM, JEWELER, 107 North 16th Street, Opp. P. O. WEDDING RING HEADQUARTERS. 18K oval, flat and tiffany shapes, 22 and 24K rings made to order, prices \$3.00 to \$20.00. Betrothal rings, set with diamonds or other precious stones, \$25.00 to \$50.00. Signet rings, latest fad, for men and women, made in Roman, rose or bright gold, \$2.00 to \$30.00. Six Gorham sterling silver tea spoons, \$3.50.

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TWO DAYS MORE FOR VALENTINES GET OUR PRICES THAT'S ALL! SCHAEFER'S CUT PRICE DRUG STORE. OPEN ALWAYS. Two Phones—747 and 797. 5 W. Cor. 10th and Chicago Sts.

HAND SAPOLIO. Is especially valuable during the summer season, when outdoor occupations and sports are most in order. GRASS STAINS, MUD STAINS AND CALLOUS SPOTS yield to it, and it is particularly agreeable when used in the bath after violent exercise. ALL AGROERS AND DRUGGISTS.

GRAIN-O THE PURE GRAIN COFFEE. In comparing Grain-O and coffee remember that while the taste is the same Grain-O gives health and strength while coffee shatters the nervous system and breeds disease of the digestive organs. Thinking people prefer Grain-O and its benefits. TRY IT TO-DAY. Atgrocers everywhere; 15c and 30c per package.

NEW COLLAR. MEN'S WEARERS QUICKLY GET THE BENEFIT OF THIS COLLAR. It is made of the finest material and is guaranteed to last. It is the best collar for the neck and is especially adapted for the summer season. It is made in a variety of colors and styles. It is the best collar for the neck and is especially adapted for the summer season. It is made in a variety of colors and styles. It is the best collar for the neck and is especially adapted for the summer season.

W. R. Bennett Co's Bankrupt Sale of Pianos & Organs. HAS BY PERMISSION OF THE FEDERAL COURT BEEN EXTENDED TO FEBRUARY 21. Never in the history of Omaha have our people had a greater opportunity to secure for their homes and loved ones a strictly High Grade, Up-to-Date Piano or Organ—all of the latest colonial styles—in walnut, oak, mahogany and other woods—at prices that cannot be duplicated at the factories. Such well-known and reliable makes of pianos as we give below need no guarantee or recommendation from us.

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ORGANS. One good as new Lakeside organ in walnut case—worth \$135—close \$100. One slightly used walnut Chicago Cottage Organ, worth \$90—our price on this organ to close out \$75. One very fine Lakeside organ, in plate glass mirror—worth \$150—our price to close \$120. One new organ—regular price \$85—our price to close \$70. One fine case—worth \$100—our price to close \$80. One new high top organ—plate glass mirror—worth \$125—our price to close \$100. All sold on from \$3 to \$10 down and from \$1 to \$10 per month.

Foot Comfort for Men. Many men think that in order to have style in a shoe they must sacrifice comfort—and they do. It isn't necessary at all to wear uncomfortable shoes in order to have style—not here. We can give you both style and comfort in the same pair of shoes. Our shoes are made on lasts of proper shape and correct style, and we fit them on the feet as they should be fitted. Let us show you how much style and quality can be put into a shoe for

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A GREAT WRAPPER BARGAIN THURSDAY. \$1.00 Wrappers for 49c. Thursday morning we will place on sale 75 dozen women's wrappers, made of the best quality flannelette, in stripes and Persian effects, trimmed with ruffles and braid. These wrappers are not the skimpy kind as sold in "bargain sales," but full 34 yards wide, skirts with 9-inch flounce and extra full over hips. Don't miss this opportunity to get a well made, perfect fitting wrapper for less money than you would have to pay for the cloth. CHOICE, THURSDAY 49c. Special in Ladies' Under Muslins. These Lots Go on Sale Thursday. 60 dozen plain white cambric and fancy lace and Hamburg edging trimmed covers, regular 25c quality, for 12 1/2c. 60 dozen full size open and closed drawers, trimmed in lace and embroidery, hemstitched tucking, good quality cambric, regular 45c quality, for 25c. 24 dozen good quality cambric and long cloth gowns, beautifully crimped open work, lace yokes and fancy embroidery edging, all full length and wide skirts, regular \$1.00 quality, at 59c. 50 dozen ladies' fancy lace trimmed and plain white hemstitched and tucked skirts, with extra long dust ruffle, regular 90c quality, at 45c. Nebraska Clothing Co. CLOTHES FOR MEN AND WOMEN.

FIRST NATIONAL BANK OF OMAHA UNITED STATES DEPOSITORY. STATEMENT, FEB. 6th, 1903. RESOURCES: Loans and Discounts \$1,349,752.11; Banking House and Real Estate 125,000.00; U. S. Bonds to Secure Circulation 200,000.00; Premiums 8,524.98; Due from Banks and U. S. Treas. \$1,768,072.01; U. S. Bonds 29,500.00; Other Bonds 245,123.24; Cash \$1,138,916.90; \$3,466,877.15. LIABILITIES: Capital \$500,000.00; Surplus 100,000.00; Undivided Profits 88,327.38; Circulation 200,000.00; Deposits \$2,568,557.74. OFFICERS AND DIRECTORS: HELEMAN KOUNTZE, President; W. A. FAXTON, J. A. CRIGHTON, Vice-President; J. M. WOOLWORTH, W. S. POPPLETON, F. H. DAVIS, Cashier; C. T. KOUNTZE, Asst. Cashier; L. L. KOUNTZE, Asst. Cashier.

Mobile and "Follow the Flag" New Orleans Return and Return \$28.35 \$29.50 Havana, Cuba, and Return \$63.35. Tickets on sale February 17 to 22. Long limit and stop overs. The Wabash is the shortest, quickest and best line to south and southeast. All information at Wabash office, 1601 Farnam street, or address Harry E. Moores, G. A. P. D., Omaha, Neb.

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