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lor, 14th and Douglas, OMARA, BER,



ROCK ISLAND STANDS BACK

Only Road Converging Here Which Has Not Jo no! Northwestern Rate.

Missouri Pacific Promises New Tariff to Equalize Through Rates to

The Rock Island is the only road which is at present standing aloof from the agreement made by the railroads in this section to meet the through grain rates put into effect by the Northwestern last week.

Mississippi River Points from Nebraska.

A prominent grain dealer stated that his company had assurance from the Rock Island that it, too, would meet the rates, but as yet no notice has been given by that company of any such intention.

The Missouri Pacific gave out information that a new tariff would be issued by it, taking effect January II, which would equalize rates with the new Northwestern tariff to Mississippi river points from all points on its lines in Nebraska.

The Union Pacific announced Wednesday that it would issue a through tariff this week, quoting through rates to Chicago, in conjunction with other lines east of the river, and it was admitted by an official of that company that the rates would be about on a parity with the Northwestern rates. When asked for a copy of the tariff the statement was made that none had as yet been printed.

It is thought barely possible that competing lines received advance notice of the fling of the suit against the Northwestern, and this is the reason they will make no statement.

"While the Northwestern was the first mover in the attempt to prevent the building of a grain market in this city," said a local railroad man, "it appears to me all are equally guilty now, having met the rates, with the possible exception of the Rock Island, and I understand it is waver-

Think it Will Be W. L. Park. In speaking of the probable appointment of a general manager for the Union Pacific, one of the officials of that company

which are said to be under consideration for appointment, I believe that W. L. Park, superintendent of the Wyoming division at Cheyenne, has the best prospects for se-

him. The Wyoming division has been one of the hardest on the system to manage on account of the fact that more traffic passes over it than over any other division on the line. All traffic from both east and west is concentrated there and that is the reason that double tracking was put and court will begin there January 18. in at that point. It is understood that the predecessors of Mr. Park in the position were removed because they falled to give satisfaction, and it is also understood that Mr. Park's administration of affairs since he has held the position have been eminently satisfactory to the management. I do not believe it would prove a surprise to anyone familiar with conditions along the line if Mr. Park was singled out by President Harriman to look after the management of the road."

President Burt leaves the company January 15, when Mr. Harriman becomes president. Mr. Burt still says his plans are

Union Pacific Gains.

The financial report of the Union Pacific for the month of November shows that during the month the gross receipts of the officers will enter upon their respective du company were \$5,052,789,22. The receipts for the corresponding month last year were \$4,649,887.38, an increase of \$402,901.94. expenses for the month were \$2,648,438.19, and for the corresponding month in 1502 they were \$2,453,138,26, an increase of \$196,-289.92. For the five months ending with November 30 the receipts of the system were \$25,035,048.51, and for the same period last year \$22,493,331.03, an increase over 1902 of \$2.541,717.48. The expenses for the same period were \$13,279,456,63, and for the like term last year \$11,881,139.83, an increase of \$1,898,316.80. This leaves a surplus for the five months' period of \$11,755,591.88, after deducting the expenses from the gross recelpts. The surplus for the same period last year was \$11,112,191.20, an increase for this year over last of \$643,400.68.

NO GRAND JURY UNTIL MAY District Judges Decide This and Post pone February Term Until

the Eighth.

Evidently the district judges are not as leeply impressed with the criminality of Omaha and the county as those persons who petitioned it for the convening of a grand jury, chief among whom was the well known reformer, Ignatius Jehovah Dunn, for the judges at a special meeting decided not to call this grand jury until the May term of court, instead of February . as was first decided on. The judges de clared they could not discover, after some investigation, the real need of such a grand jury, hence thought its convention would

be a useless source of expense. The judges also changed the date of the February term of court from February 1 to February 8. This change is necessitated because the county commissioners, at their last session, failed to place the names of the new jurors in the wheel or jury box which is kept in the office of the county clerk. The law requires that the names of the new jury shall be placed in the box wenty days prior to the opening of the next term of court. Since the commissioners failed on Wednesday at their last session to put the names of the jurors in the box, this cannot now be done until the next meeing of the board, which will be on January 14. And if it were done at that time there would be only nineteen days intervening between that time and Feb ruary 1, the date originally determined upon for the opening of the February term

CITY ELECTRICIAN IS NAMED Waldemar Michaelsen Gets Place and Mayor and Council Are Once

More at Peace. Waldemar Michaelsen, 2923 Leavenworth street, superintendent of the Western Elecrical company, was constituted city electrician at a special meeting of the city council yesterday. The new official was suppointed by Mayor Moores January 5 to fill the vacancy caused by the resignation of Paul H. Patton, and a committee from the council was appointed to consider the appointment. The report which was read at the special meeting found that Michaelsen had all the necessary qualifications under section 20 and that therefore it recommended his confirmation. This was

done with no dissenting vote., Mr. Michaelsen is to assume his duties at once. Thus the fight between the mayor and counci over this office is amleably settled.

GOES HOME TO GET PRINCE Wong Kai Kah Will Request Pu Lun to Visit the World's IT MAY FALL IN LIN_ L ER, "IOWEVER Pair.

> Wong Kai Kah, vice commissioner of the Chinese government to the World's fair at St. Louis, passed through the city on the Overland limited on his way to China. He has been at St. Louis since July 3, looking after the erection of buildings and other matters in connection with the exhibit to be made by his government.

The vice commissioner is a small man, who dresses in the national costume of China, which consists of flowing robes of the finest silk. He wears a queue and speaks the English language fluently. In discussing matters connected with the exhibit to be made by his government, he enid:

"We will have about thirty-five Chinese present to look after the details of the exhibit. I brought thirty-six over with me, but ten of them were carpenters who came to erect the buildings, and as they have seen completed the men have gone home. "My trip home at this time is for the

purpose of trying to induce Prince Pu Lun to visit St. Louis during the exposition. I have been so impressed by the magnitude of the great fair that I think he should see it. If he decides to confe his suite will consist of about fifteen members. The prince is a nephew of the emperor and is the official commissioner of the government to the exposition. He appointed me to act in his stead."

In case the prince decides to visit this country it is said a private car will be placed at his disposal by the Union Pacific to transport himself and party from the

LIQUOR CASES TO COME UP Various Charges Under Indictment Next to Occupy Time of the

Many witnesses in the reservation liquor cases against the accused now in the Douglas county jail are in the city awaiting the call of the cases before the United States district court. These trials are booked for early next week.

Federal Court.

The next case or trial before the district court will be that of James Davis, indicted for the Edholm postoffice robbery. This case will be called this morning. The case was set for trial Tuesday morning, but owing to the Dietrich cases occupying President Harriman, and his ability as a the attention of court for the greater part railroad man is thoroughly understood by of the week, the delay has been inevitable. District court will continue in session for

the greater part of next week, when ar adjournment will be taken to permit the assembly of the United States court at A special jury will be drawn for the Lincoln term during the coming week District Attorney Summers said yesterday

"I anticipate that the Lincoln session of court will be brief, and upon its conclusion court will reassemble here for the trial of many of the cases for which indictments were found by the recent session of the grand jury. A special jury will be drawn for the adjourned term here."

EAGLES INSTALL NEW OFFICERS

Formally Induct Men Into Station and Make Plans for Completing New Quarters.

The recently elected officers of Omaha aerie No. 38, Fraternai Order of Eagles, were installed Thursday evening. These ties:

George F. West, worthy president; Jules Althouse, worthy vice president; D. H. Christie, worthy chaplain; C. E. Allen, secretary; Charles Hill, inner guard; Joseph Hubanks, outer guard; Joe Sonnenberg, A. G. Stephan and W. H. Gunsolas, board of trustees; Drs. B. M. Riley and M. J. Ford. physicians. George F. West succeeds him-

The secretary's report showed that there was a balance of \$7,766.40 in the treasury January 1, 1904, against an indebtedness at the same time last year.

The question of purchasing the building now occupied was discussed at some length. The improvements which have been going on for some time in the various departments of the aerie have taken more time than was originally expected, but it is now thought that the opening will take place next Thursday night. This will give the Eagles commodious quarters occupying three floors and a basement.

SPURNS CHARGE, BUT LOSES Colored Man Says He is Contractor, Not Hat Thief, but is Fined.

"Did yo' see me steal dat hat? Hab yo' got a notion dat dis am yo' bonnet?" The speaker, Will Cannon, a colored man was somewhat excited. He was up before Judge Berka on the charge of appropriating a \$3 hat formerly the property of Jack Martin, bartender at the Maurer saloon at Fourteenth and Harney streets, ' Cannon thrust a battered and weatherbeaten soft hat in Martin's face, as he asked him the

"No." said Martin, "that's not my hat; but you have one you took when you were in the saloon Wednesday. "Yo' honor, I's a contractor in Souf Omaha. I's not in de hat stealing busi-

ness for a libbing." he had to be sternly checked before he would quit talking. He was fined \$5 and costs on the testimony of three witnesses, who all said Martin's hat disappeared when he left the saloon.

SMALL BOY RUN OVER BY HACK

Child is Trampled On by Horses and Pronounced by Physicians as Seriously Injured.

Master Glenn Lasell, 10-year-old son of B. Lasell, was run down by a hack while playing with his sisters in front of South Twelfth, yesterday, and austained serious injuries, the horses trampling him under foot. Dr. Ralph was ing 7 per cent interest. summoned and attended the boy, pronounce ing his injuries serious, but not necessarily fatal. Shortly after Dr. Ralph left the boy serious complications set in and limbs became paralysed and Dr. Arnold was called in

The Lasells arrived in the city Wednes day from Colorado and took the rooms at 513 South Twelfth street temporarily Mr. Lasell was in the vicinity when the accident happened, having just stepped up an alley to inspect a wagon he expected to buy. He could not, however, give the police any information as to the number of the sig which run down the little boy.

Still Hearing Protests.

The Board of Fire and Police Commi Can't Sleep?

It's your nerves. Dr. Miles' Nervine will strengthen them and bring sweet sleep and health. Delay is dangerous. All druggists sell and guarantes. Send postal for book on nerveus diseases. Dr. Miles' Nervine was taken in the Lathrop case Thursday was taken in the Lathrop case Thursday forenoon and the case was continued until a p. m. today.

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M'DONALD TO SUE PENFOLD

Says He Will Bring Action for Libel Because of Bribery Charge.

RECALLS ACCUSER WAS MEMBER OF BOARD

He Got High School Contract by Paying Certain

Members.

The sequel to the charges of bribery pre ferred against John McDonald Thursday afternoon in filings which H. J. Penfold made in district court was noted yesterday when announcement was made by Mr. Mc Donald that a suft for damages would be filed against Mr. Penfold.

Penfold claims that McDonald secured the payment of \$2,250 on his contract as architect for the High school and that the contract itself was secured by bribery of certain members of the old school board. "Mr. Penfold was a member of the board which voted to pay me this money," said Mr. McDonald, "and now he charges me with bribery. This question of bribery all is fired on a snowy Saturday night, has been threshed out in the courts and drawing six bits out of what should have nothing has come of it. The claim I have been a five dollar bill, the rest having been against the board, aggregating \$11,600.82, I offered to settle for \$5,000.

'We are of the opinion that the city should not be compelled to pay this sum of \$11,600.82. The members of the school board | she villain, saying to the shop girl, "If you which revoked my contract should be held should ever need assistance, I am at your liable for that amount. I had a contract and it was revoked and afterwards John Latenser was paid \$10,000 in fees. There was an elemnt against me and there was no good reason for revoking my contract. Mr. Penfold's charges of bribery are very serious and he will be afforded a chance to prove them."

Troubles Are Old Ones.

The troubles between the school board and Mr. McDonald date from the year 1899, when the board entered into a contract with McDonald to draw up plans and specifications for all its buildings, for which he was to receive the sum of 5 per cent the cost. The \$11,600.82 represents 5 per cent most pretentious manner, the settings being of the cost of the present high school. Mr. McDonald originally drew up plans and Cannon was addressing the judge, and specifications for a high school. They were accepted and the board advertised for bids. Afterwards they were rejected and Mr. Latenser was employed as architect and the present high school was built from plans and specifications drawn up by him The right of the school board to summarily dismiss Mr. McDonald and his plans and employ Mr. Latenser, together with all the other matters pertaining to the case, were appealed to the supreme court and there, as well as in the lower courts, judgment has been rendered in favor of Mr. McDonald.

The claim which Mr. McDonald has against the school board might have been settled for less than one-half the sum of \$11,600.82 quite a while ago, but the school board refused, and now the claim is draw

SAYS HUSBAND ABANDONS HER

Wife Declares Edward Cuthbertson Failed to Support Her and She Brings Action.

Detective Drummy has gone to Kansas City, armed with requisition papers, to apprehend Edward Cuthbertson of 610 North Twentieth street, who, his wife alleges in a complaint filed in police court, abandoned her two months ago. It is alleged in com plaint that Cuthbertson failed to provide for his wife during the two months, or since he left home, and that he has aban-

Cuthbertson was located by Chief Dona. hue neveral days ago and was found working with a railroad grade gang forty miles east of Kansas City. On request of the chief he is being held pending the arrival of Detective Drummy, who expects to return with his man by Sunday,

AT THE PLAYHOUSES.

"Only a Shop Girl" at the Krug.

It could be called "only" any one of a long list of adjectives descriptive of girls, this play that is now being produced at the Krug, and be just as interesting and entertaining. It is of the genuine sort, in the following births and deaths have been reported to the Board of Health during the past twenty-four hours;

Births—William F. Chaddock, 1121 North Ninth street, girl; Henry Hargauer, 283 South Twenty-fourth street boy; James Brennan, Sevenieenth and Lincoln avenue, boy; Frank Swankon, 2625 Chicago street, girl; Louis Pierson, 2622 Capitol avenue, boy. which the heroine survives a world, of trouble, and the hero finally pulls through all the entanglements of his position and manages in the end to get his feet and hers pointed along the road that ought to lead to perfect happiness. In this instance the usual course of melodramatic events that surround the young people is more

than tangled, being involved in a plot of extensive and tortuous ramifications. The heroine is a girl whose esteemed papa got on the wrong side of the market just before he died, and left her penniless. She was too proud to wed a young man who might have spared her all she went through, and starts to earn a living as a sales person in a large department store. It is the unfortunate condition that she has incurred the enmity of a she villam who has a pull with a he devil who has a pull with a floor walker, and the shop girl absorbed in fines soaked to her by the amiable floor walker. Just at this interesting period of the performance, the hero walks off the stage arm in arm with the service." But Josie, the riews girl, is on hand, and she takes up the tangled threads, and during the next three acts works overtime to settle the troubles of the two blundering young folks she has taken un-

Josie, a great many things wouldn't have happened. Josie, by the way, is quite a clever little person in the care of Lottle Williams, who has made something of a name for herself as a singer and dancer, and she is assisted by Bobbie Barry, who isn't slow for a youngster. The cast as a whole is a good one, and the play is presented with a snap, for all of its absurdities. It is staged in a correct in every detail, and was apparently much enjoyed by a large audience at its first presentation last night. It will be the bill until after Saturday night, with a matinee on Saturday.

der her protecting wing. If it wasn't for

SULLIVAN AND THE OCTOPUS Former Chief Justice Said to Be

Slated, but Baldwin Denies

the Rumor.

The Syracuse Journal says a report is going the rounds to the effect that Judge Sullivan, formerly chief justice of the supreme court, will become head of the legal department of the Union Pacific in the spring, admitting the doubtfullness of such thing as a democratic leader identifying

manner. Regarding this interesting rumor John N. Baldwin, who is head of the Union Pacific's legal department in Nebraska, said: 'We know nothing of any such plan now, and in fact I may say there is nothing in the report-nothing whatever."

himself with the octopus in such a flagrant

PERSONAL PARAGRAPHS. Mrs. Fred Paffenrath, who underwent a serious operation three weeks ago, is now reported to be convalescing.

Probate Calendar.

A hearing in the matter of the estate of Ellen Richardson will be made on January Baclay Filip has been named as the ad-ministrator of the estate of his mother, Anna Filip. Mrs. Victoria Steadman has been named as administrator of the estate of her late husband, W. J. Steadman of Valley. The application for the appointment of an administrator of the estate of Charles J. Frice will be heard by Judge Vinsonhaler January 12. Testimony in the protest of Sarah B. Withnell against the probation of the will of her late husband, Richard N. Withnell,

were made before Judge Vinsonhaler. An-nouncement was made that the arguments in the case would be submitted January 11.

Mortality Statistics.

Deaths—Edward F. Slader, 1614 Daven-port street, 36; Patrick O. McDonald, 1512 Davenport street, 50; Baby McCormick, 2033 Ohio street, 6; Marcus B. Owens, 2022 North Twenty-second street, 49; infant doughter of A. Bazar, Ninth and Jack-son, 1

LOCAL BREVITIES.

James A. Killian of St. Paul, Howard county, filed his voluntary petition in bank-ruptcy in the United States district court. Liabilities \$5,086.88; assets, \$75.

County Judge Vinsonhaler has named Charles Leslie for the office of clerk of the county court for the ensuing year and Mr. Leslie took the oath of office yesterday. Anna Curtis, colored, was found guilty of the larceny of \$20 from the person of John Petorson, white, in police court, and was assessed \$20 and costs, in default of which she went to jail. Peterson was fined \$5 and costs on a charge of drunkenness.

Costs on a charge of drunkenness.

Uriah Bennett, a colored youth, was sentenced to thirty days in the county jail in police court for the alleged theft of an overcoat valued at 38 from C. Caline. Bennett pleaded not guilty to the charge, but was convicted on the testimeny of a pawnbroker, who came into court and identified him as the man who pawned Caline's coat for \$2.

Florence Murphy, a young woman lately arrived in the city, was arraigned in police court on the charge of obtaining a dress-skirt by other than fair means from Mrs. Silvering, 812 North Thirty-third street, and was sentenced to twenty days servitude. It was alleged that Miss Murphy entered the home of Mrs. Silvering during the afternoon Thursday, while no one was at home, using a skeleton key to unlock the door.

B. C. Miner, who has for five years been employed in the office of the freight auditor of the Union Pacific, has resigned that position to accept the office of chief cierk in the office of County Treasurer Robert O. Fink. As a testimonial of the high esteem with which Mr. Miner was he'd by his associates in the office of the Union Pacific freight auditor, he was on Tuesday evening presented by them with a handsome gold watch and chain, suitably inscribed.

watch and chain, suitably inscribed.

The Salvation Army wants to send its official wagon to your door. It wants to take away from your portals something old—shoes, clothing, furniture, any old thing—for use in its distributing store on North Sixteenth street. The army has conducted this branch of its industrial work for three years and has two men connected with it, one all the time collecting supplies for the store, to be sold at nominal prices. The large quantity of such goods rectived at Christmas has been used up.

ASTHMA

Medical authorities now concede that under the system of treatment introduced by Dr. Frank Whetzel of Chicago, ASTHMA CAN BE CURED. Dr. L. D. Knott, Lebanon, Ky.; Dr. F. E. Brown, Primghar, Iowa; Dr. J. C. Curryer, St. Faul, Minn.; Dr. M. L. Craffey, St. Louis, Mo.; Dr. C. F. Beard, So. Framingham, Mass., bear witness to the efficacy of his treatment and the permanency of the cure in their own cases. Dr. Whetzel's new me hod is a radical departure from the old fashioned amoke powders, sprays, etc., which relieve but do not cure.

FREE TEST TREATMENT prepared for any one giving a short des-cription of the case, and sending names of two other asthmatic sufferers. Ask for booklet of experiences of those cared. FRANK WHETZEL, M. D.,

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