SMALL FORCE ROUTS ENEMY

Berlin Reports from Southwest Africa Received with Rejoicing.

TERRIFIC BATTLE WITH THE AFRICANS

Blacks Swarmed Upon the Gallant Little German Band in Thousands, but Were Put to Flight.

BERLIN, Feb. 4.—The following cablegram has been received from Swakopmund, German Southwest Africa, from the commander of the German gunboat Habischt:

"The garrisons at Windhoek and Okahadja have been relieved by the Frankes company, with two guns. The relief of Okahadja occurred on January 27, Emperor William's birthday, and was without loss.

"On January 28 there occurred a terrific battle between the gallant little German force and the enemy, who numbered thousands. The engagement lasted for six hours and ended with the storming of the main camp of the enemy, situated on Kaiser Wilhelm mountain. Four Germans were wounded. After this defeat the enemy withdrew to the Otjisangati hills, but we succeeded in getting away all the stolen cattle.

"The enemy devastated all the farms and the railroad stations in the Windhoek and Okhadja region and a portion of the Karibib and barracks of the mountain battery at Johann Albrecht's heights. The losses so far are known to be forty-four settlers, including women and children killed, and in most cases the bodies were mutilated. The military losses amount to twenty-six, and there have been fifty other fatalities. It is probable that Catadis has been besieged since January 16. The march on Omararu will be begun tomorrow.

"Colonel Leutwein, governor of German Southwest Africa, is expected here by steamer on February 5. Lieutenant Winkler has arrived here with support from the steamer Ernest Woermann."

This news was circulated in extra editions of the papers late this evening and caused universal rejoicing.

BLAMES THE WATER COMPANY

Chairman Boyd of Commissioners Says it Has Been Derelict All Along.

A routine meeting of the water board was held yesterday afternoon, with Commissioners Boyd, Coad, Barlow and Congdon and Secretary Koenig present.

"What's the cause of all this delay in the appraisement?" asked Commissioner Coad.

"The water company," responded Chairman Boyd. "It has not been ready when the appraisers met here before. They come again on Monday, however, and possibly we may be able to go ahead and accomplish something."

City Attorney Wright reported the selection of a hydraulic engineer to assist City Engineer Rosewater had not been decided upon, but he expected to have the question settled in a week or two.

The city expects the water company to introduce testimony as to the value of its plant during the sitting of the appraisers next week. This, it is thought, will occupy about the entire week. The program as outlined is for the board then to adjourn, giving the city some ten days to prepare its case. This schedule is merely tentative, however, and may be changed.

It has been discovered that the water company in the schedules submitted has not given the weight of the pipes. This is an important consideration and some way must be devised to determine the figures.

BRYAN SPEAKS IN KENTUCKY

Pays Tribute to Goebel and Criticises President Roosevelt—Alludes Facetiously to Watterson.

FRANKFORT, Ky., Feb. 4.—William J. Bryan spoke tonight by invitation of the Kentucky legislature to a crowd that filled the Capitol theater, while many were turned away. Both sides of the general assembly adjourned and held memorial services in honor of William F. Goebel today in the hall of the house of representatives. Bryan and several members of the legislature made eulogistic addresses and an original poem was read.

Bryan in his address compared Henry Watterson, the Louisville editor, to the Greek character in Quo Vadis, who, after a life of crime, repented and said: "I too, am a Christian." He said he hoped Watterson would yet repent and be a democrat.

Referring to Goebel, Bryan said his murder was encompassed by corporate influences that had determined he should never be governor. He said the man who wrote Goebel he should never be governor is alive now and his name is mentioned in connection with the chairmanship of the democratic national committee.

He devoted some time to Grover Cleveland, saying McKinley's indictment of Cleveland, in which he said Cleveland made money the master of man, he believed was correctly drawn. Bryan said he did not want an organization of the democratic party, because he did not want the party to take the chance of falling into the hands of the money power. Commercialism in politics, he declared, was now the greatest menace to the country.

He said he heard of one precinct in Delaware where all the votes were bought and one auctioned off brought $50. He said the money question was no more dead now than in 1896 and he discussed at length trusts and monopolies that he said are being fostered under the republican party. He also scored President Roosevelt's policy toward Cuba and on the Panama question.

FOUR HUNDRED WERE NOT PAID

New Jersey Victims of California Bank Bring Suit to Recover from Stockholders.

TRENTON, N. J., Feb. 4.—Over 400 persons, with claims aggregating $66,115, are complainants in a suit started in the court of chancery today against John A. Willet of Paterson and other New Jersey stockholders of the State Bank of Monte Vista, Cal. The bank failed in 1899 and the depositors, among whom are the complainants in this suit, were not paid in full. The stockholders are being sued under the law which makes them liable for double the amount of their stock.

RATES LOOK GOOD TO OMAHA

New Tariffs on Grain by Rock Island Regarded Favorable.

SHORTAGE IN CARS ON MOST OF ROADS

While This Condition Lasts Shippers Are Not Expected to Derive Much Benefit from the Low Rates.

The Rock Island has issued its new grain tariffs, copies of which have been received at the local offices of the company. An examination of them discloses the fact that they are favorable to Omaha.

The through rates from Nebraska points to the Mississippi river and Chicago in most cases average 1 to2 cents lower than the sum of the rate into Omaha and the proportional out, thus practically forcing all grain shipments which originate on the line of the Rock Island west of this city to stop here. The Beatrice rate on wheat, for instance, is 25 cents through to Chicago, while the rate into Omaha and the proportional out added, makes a rate of 23 cents; from South Bend, the through rate is 20½ cents, and the sum of the two rates is 18½ cents. Consequently it will be seen that Nebraska shippers can stop their grain in this city for milling or cleaning and secure a lower through rate than if it were shipped direct from the originating station to the Chicago market.

From points on the Rock Island west of Belleville, Kan., the rates to Omaha and Kansas City are equal, so that shippers may choose between the two markets, there being no discrimination in favor of one as against the other. East of Belleville the rates on the line running to Omaha are in favor of this market and those on the line running to Kansas City are lower to that point.

Since the grain rates have been so greatly reduced to all markets from western points shippers have experienced a great deal of difficulty in securing cars to carry their shipments. One large concern in this city stated that but one road is at present furnishing cars to meet the demand, and that is the Great Western. All other lines pleading a shortage of equipment.

Low Rates Held Responsible.

It is believed the low rates at present in effect on grain are responsible for this shortage, as there has been little complaint from shippers dealing in other commidities. It is the general opinion among raircad men that it will be but a short time until the traffic officials of the various lines will get together and restore grain rates to about the same basis as before the cuts.

"If the grain, which would move freely now if cars could be secured, can be held back until the restoration of rates takes place, of course it would mean a great many thousands of dollars more to the railroads in freight receipts," said a railroad official, "the latter part of last week one road was short 240 cars for grain loading on eighty miles of its line. Hauling these 240 cars at the reduction now in effect to the gulf ports would mean a loss to this road, as against the rates previously in effect, of $30 to $40 per car, or about $7,200. This would simply represent the difference on eighty miles of road. How much it would be for the western grain district may be estimated from these figures. The most optimistic grain dealer or railroad man in Omaha does not believe that the present rates will last more than a few weeks and if a large portion of the shipments can be held until the restoration takes place it will make an immense difference to the transportation companies."

One freight official was frank enough to admit this morning that the railroads are playing a waiting game, and holding the shipments back until the last possible minute. While he stated there exists at present an actual shortage of equipment, he also said all other orders for cars, where the freight rate was higher on the commodities to be handled than on grain, were being filled first. If any cars are left over after such orders have been taken care of they are furnished to grain dealers.

While this state of affairs exists the low rates in effect are of little benfit to grain shippers, and it is not believed the stringency in the car supply will be lessened until the rates advance.

PATROL WAGON CURES DRUNK

Sobers Citizen of Wahoo by the Time it Reaches the Police Station.

C. M. Jackson resides in Wahoo and wishes now that he had stayed at home. He has been addicted to the use of intoxicants, so he said, and made up his mind to quit. But the way things turned out for Mr. Jackson would indicate that the infernal regions are in receipt of another paving stone in the shape of a good intention gone wrong. Mr. Jackson and a friend came here to test the efficacy of a certain advertised cure for the liquor habit, and in the course of investigating the same proceeded to visit a number of those who had been cured. The result of their investigation was that they both got hilariously drunk early in the day and were given a ride in the hurry-up wagon. This cure worked all right, for Mr. Jackson was very sober in police court.

CENTRAL IMPROVEMENT CLUB

Special Meeting Listens to Some Committee Reports on Projects Under Way.

The Central Federation of Improvement Clubs held a special meeting last night at the committee room of the council chamber in the city hall. In the absence of President Slabaugh, Vice President George Sancha occupied the chair.

The special committee on parks and boulevards submitted a verbal report through Chairman L. J. Blake. The report was in effect that the committee found that there is some objection to the extension of the boulevard system on the part of certain property owners, who are indisposed to submit to further taxation for boulevard purposes, and that the opposition of these parties is of sufficient influence to make the work of the committee along the lines of securing boulevard extension extremely difficult, especially at the present time.

The photographic committee to whom was entrusted the work of securing photographs of city improvements and localities where such improvements were needed, reported that it is meeting with much encouragement and that a number of photographers have expressed their willingness to assist in the work.

Several propositions were submitted relative to the organization of a central improvement club, and a plan of admitting honorary members to the federated club at fees varying from $2 to $25. All of the propositions had earnest advocates, but no definite conclusion was reached and the projects were dropped.

A motion prevailed for the appointment of a committee of three to arrange for a grand rally of all the improvement clubs of the city in the near future, the date for such meeting to be fixed by the committee. Messrs. Bostwick, Pope and Butler were named as such committee.

A special committee, consisting of Messrs. Morearity, Butler and Davis, was appointed to investigate the matter of the Saddle creek sewer contract, and to prepare suitable resolutions on the matter at once, and after submitting them to the president of the club to secure their publication in the city papers.

TAKE UP CONTEST CASE AGAIN

Bingham and Broadwell Will Resume Legal Fight Over the Election Returns.

The Bingham-Broadwell contest will be resumed Friday morning before Judge Vinsonhaler.

The Bingham contest is based upon the charge of an illegal election in the First precinct of the Sixth ward and the Second of the Fourth in South Omaha, and since all the other precincts in the county have been counted, it now is expected that some interesting developments will come to light when the Bingham interests are playing what is confessedly their trump card.

In the complaint filed in this contest it is alleged that election officials in the First precinct of the Sixth ward and the Second of the Fourth were drunk on the day of election and after the vote was over. It is specifically alleged that one of the clerks was so drunk that he was found lying on the floor. It also is alleged that the election officials did not proceed to count the vote immediately after it was cast, but went out from the polling places, and that persons were given admission to the voting room in the meantime and that the ballots were thrown about the room, indiscriminately, some of them finding their way into a waste basket.

Both of these protested precincts gave a plurality for Broadwell, and if the contestant succeeds in having them thrown out it will mean a victory for Bingham.

BERRY NOT GOING WITH ERIE

Emphatically Denies Report that He Has Resigned from Union Pacific.

Regarding the published report that he would resign from the Union Pacific to go with the Erie, Chief Engineer J. B. Berry of the former road yesterday said:

"It is entirely incorrect that I am going with the Erie and I wish it to be distinctly understood. I never made any statement that would warrant such a report and regret that it has become current. I am not going with the Erie. I have not resigned from the Union Pacific."

RAILROADS SIGN AGREEMENT

Consent to Stipulation Drawn Up by City on Tax Levy.

LATTER NEED NOT BE POSTPONED

As Soon as One More Signature is Received Steps Will Be Taken to Have Injunction Dissolved.

John N. Baldwin, as attorney for the Union Pacific, and Charles J. Greene, as attorney for the Burlington, yesterday signed the stipulation proposed by City Attorney Wright which will obviate postponement of the annual tax levy. Ben T. White, general solicitor for the Northwestern lines, is out of the city, but has been communicated with by telegraph and authority for his signature is expected this afternoon. As soon as it is received steps will be taken to have the district court injunction dissolved.

Following is a copy of the stipulation to be filed in the supreme court which was signed:

It is hereby stipulated between the parties hereto and the following named parties, who are interested in this proceeding and whose assessment is sought to be raised through this proceeding, to-wit: Union Pacific Railroad company, Chicago, St. Paul, Minneapolis & Omaha Railway company, the Omaha, Southwestern Railroad company, the Omaha & North Platte Railroad company, as follows: That, in consideration that the relators herein dismiss a petition presented by them to the district court of Douglas county, and now pending therein, wherein the relators herein seek an injunction and have obtained a restraining order restraining the making of the levy of city taxes of the city of Omaha for the year 1904 until the final disposition of this action; that the respondents herein and each of the above named railroad companies, parties interested in this action, hereby waive any question or contention that might or could be urged as a defense to this action upon the ground that the levy of the municipal taxes of said city of Omaha for the year 1904, was made and determined during the pendency of this action, and hereby agree that no defense in law or in fact based upon the making of such levy before the submission or disposition of this action shall be presented to or urged upon the court, or considered or regarded by the court.

The council has not yet taken any steps towards working out the calculations of the levy. Chairman Huntington the finance committee said he considered it President Zimman's duty to call the body together to discuss the matter.

Why Brown Didn't Go Home.

George Brown, Fourteenth and Pierce streets, overestimated his capacity in a saloon near Sixteenth and Jones streets last evening and when told to direct his movements toward home became so disorderly that it was necessary to place him under arrest. At the police station Brown deposed that he was merely trying to get what beer he wanted when a number of strangers took objections to his nationality and offered to eject him.

BEGINS TO SHOW RESULTS

Evangelist Ostrom is Driving Home Conviction in His Meetings Nightly.

Results begun to be manifest in the federated gospel meetings in the Hanscom Park Methodist church Wednesday evening. In the afternoon more than a score of church members declared that they had been distant from God and desired to get near Him. Then a large number gave expression to a desire to lead a Christian life.

Rev. Henry Ostrom, the evangelist in charge, had preached a strong sermon from the text: "Ye are not your own." He dwelt upon the facts that man cannot protect himself; that he is lost; but God has bought him with great cost. In becoming a Christian one must give up many things, but as the tree gives up much that from the violin sweet harmony may come.

Thursday is to be made one of special interest in the Hanscom park district. At early hours this morning many prayer meetings are to be held. At 10 o'clock in the First Baptist church is the meeting of elderly people; in the same place at 2 o'clock is the meeting for Bible study; at 7:45 o'clock in the Hanscom Park Methodist church another gospel meeting will be held.

HEBREW REPUBLICAN CLUB

Organization is to Be Formed, Probably with Sixteen Hundred Voting Members.

A meetaing was held Tuesday night at the home of Edward Lang, 828 South Twenty-first street, at which preliminary steps were taken for the organization of a Hebrew Republican club, about a score was present and the matter was placed in the hands of a committee consisting of M. Lagoza and E. Lang to report upon the form and scope of the organization after consultation with E. Rosewater.

It is expected the club will have a membership of at least 1,600 voters and will include all Jewish citizens of the county.

M. Lagoza was at the head of the McKinley & Hobart clubs in 1896 which had a membership of 1,200 and did good work during the campaign.

HEIRS AGREE TO SETTLE

Waive Protest to Probation of Mrs. Sophronia Jones' Will.

MRS. MACKAY GETS ONE-NINTH SHARE

Stipulation Signed by All Heirs Makes A. G. Ellick Administrator Instead of B. N. Robertson.

The contest over the will and codicil of Sophronia Jones, widow of A. D. Jones, Omaha's first postmaster, ended by all of the heirs signing an agreement and the formal designation of A. G. Ellick to succeed B. N. Robertson as administrator of the estate.

By the terms of the agreement the heirs, one and all, waive all protest to the probation of the will and codicil. Mrs. Elizabeth P. Mackey is awarded an undivided one-ninth of the estate. The claims of B. N. Robertson as administrator of the estate are to be fixed by the court.

The agreement is signed by these heirs: Thomas Caughlan of Omaha, assignee of Preston L. Reeves, by Arthur C. Wakeley, his agent and attorney; S. I. Gordon, for issue of Mary A. Danforth; B. E. B. Kennedy, in behalf of Martha J. Carey and children of Sarah Foster; John H. Quinn, for Elizabeth E. Quinn; Cora B. Rhodes, by R. L. Staple, her attorney; Jesse Reeves, Delia F. McAvoy, Josephine Williams, Mrs. Elizabeth P. Mackey, heirs of William Reeves, by J. A. C. Kennedy, their attorney; C. Danforth, Ida M. Livingstone, J. C. Reeves, by Jesse Reeves, Sophronia E. Phair and Alfred G. Ellick.

PLAN TO REPAIR COLISEUM

Building Inspector and Artificer Go Over Building to Locate the Needs.

Building Inspector Withnell is going over the Coliseum with contractors and Artificer Gus Renze, in order to direct what improvements and alterations he deems necessary to put the big structure in a safe condition. The Ak-Sar-Ben people have shown a disposition to comply with the building inspector's demands in this respect and no apprehension is now felt but that the differences of opinion as to the safety of the structure will be settled amicably.