

SOUTH OMAHA VOTES COUNT

Ballots Challenged by Bingham Are Admitted by Judge Vinsonhaler.

RETURNS STAND AS MADE AFTER ELECTION

Arguments Being Made on Right of Plaintiff to Amend Petition in Contest with Frank Broadwell.

Judge Vinsonhaler listened to the arguments of counsel in the Bingham-Broadwell election contest, in the county court yesterday with regard to the legality of the casting and counting of ballots in the second precinct of the Fourth ward in South Omaha, and at their conclusion rendered a decision to the effect that the count and the vote should stand. Evidence had been introduced to show that officers of the election had left their posts during its progress to procure and drink intoxicating liquors, that unauthorized persons had been inside the polls while the voting was going on and that other apparent irregularities had taken place. But these irregularities were not such, in the opinion of the court, as to vitiate the election.

"I have read through this act with what thoroughness my limited time would permit," said Judge Vinsonhaler, "to determine if possible if its provisions as applied to the conduct of elections should be construed as mandatory or directory. I recall one section which provides that no voters shall occupy a booth for more than five minutes at a time. Now, I do not believe it is the spirit or intent of the law or its makers to count an election void and disfranchise the voters of any community if a man, through necessity, shall occupy a booth for six or ten minutes during the preparation of his ballot. Again, other sections of the law regulate the distances that the ballot boxes shall be stationed from the polls of the voting place and from the voter as he comes up to cast his ballot. In the precinct where I vote I know that, owing to the small size of the room, these conditions are violated but I still think the will of the voters was not outraged thereby or that the result of the election was in any way changed from what it would have been if it had taken place in a larger room. The law also says there shall be no electioneering within 100 feet of the polling place, but I have in mind one where the electric cars run within thirty or forty feet of the door and it is the custom of the politicians to go up the street some distance and come down upon the car with prospective voters. Not Counting Fraud.

"I do not know how you are going to compel these men to go to the polls, how, under the manifest intent of the law, you can call the election fraudulent and illegal for their not having done so. I do not wish to be understood as in any way condoning or approving the methods and acts of the officers who had charge of the voting booth in the second precinct of the Fourth ward on the day of the election, as shown by the evidence submitted. On the other hand, I think it was outrageous and should be taken up in the proper way by the proper officials and the men punished for what they did. I think the people of Douglas county are entitled to this. But at the same time I do not think the acts committed were such as to make a fraudulent election and disfranchise the voters of the precinct."

Arguments were made by the counsel of the parties yesterday on the rights of the plaintiff to amend his petition. Mr. Bingham's attorneys attempted to have the evidence on the testimony of Murphy and Killian, two of the judges of the election in the second precinct of the Fourth ward in South Omaha, were introduced during the election and that a clerk named A. McLaughlin also was under the influence of liquor. They also claimed that the unauthorized handling of the ballots by James Koutsky and Patrick Connors made the vote in this precinct void.

COSTS MONEY TO THROW ROCKS

Judge Berka Fines South Omaha One Hundred Dollars for Flattering Out Noise.

F. Thompson, the young man who journeyed all the way from South Omaha last Saturday evening to see Omaha by artificial light, was fined \$100 and costs by Judge Berka in police court. Thompson wound up his end-of-the-week jollification at the house of Jennie Fox, 303 Capitol avenue, by throwing a five-pound rock through the door, striking the woman on the side of the nose, placing the nasal organ out of commission for some time and putting her right eye and cheek on the casualty list. The Magic City young man then went back for the rock and took a second throw, making work for a glazier, and landing the missile on another inmate of the place, though not inflicting any injury.

In referring to charges of assault with intent to do bodily injury, jury, and passing the first sentence, three months in the county jail, the judge remarked on the leniency of both, considering the nature of the offense. Thompson then pleaded with the court, saying this was his first offense and urging in extenuation thereof that he was intoxicated at the time and did not realize the enormity of the act. Miss Fox's nose was then examined, and upon the statement that no bones were broken, the judge changed the sentence to \$100 and costs.

Rheumatism or Lumbago Instantly relieved by Omega Oil. Trial bottle, 10c.

FATHER KEEPS BOY FROM NAVY

Arrives Just in Time at the Recruiting Station Which Opens for Business Here.

The United States naval recruiting depot opened for business in the federal grand jury room in the postoffice building yesterday. Up to noon ten or a dozen applicants for enlistment in the navy had presented themselves, including two colored men. Colored men are eligible for service in the navy only in the capacity of coal passers or mess boys and they must show an honorable discharge from the United States army. In addition, before their applications will be considered.

Noncommissioned officers (white) discharged from the army by reason of expiration of enlistment, are eligible to enlistment in the navy as landmen for the position of master-at-arms, which is equivalent to the ship's policeman, or those having

MEXICAN Mustang Liniment In use for over sixty years.

MEXICAN Mustang Liniment cures Spavin and Ringbone.

MEXICAN Mustang Liniment cures all forms of Rheumatism.

charge of the prisoners on board ship. The recruiting party came here direct from Kansas City, where it secured sixty enlistments in two weeks.

Some interesting scenes occur about the postoffice building as an incident to the enlistment of minors in the naval service. One young fellow, a minor, the main support of a crippled father and three sisters, presented himself Monday morning for enlistment and, his father hearing of it, came down from Lincoln on an early morning train and, invoking the aid of the United States district attorney, succeeded in heading off the boy's enlistment. The father was nearly broken hearted over the prospect of his boy abandoning him, but the two met in the corridors of the postoffice building and the youngster was finally persuaded to forego enlisting in the navy for a year or two yet.

HOYE SWINGS HIS GOOD AXE

Performs Annual Destruction of Condemned Relics in Weight and Measure Inspector's Office.

Chairman Hoyer of the council committee on buildings and property yesterday asked an axe and swung it vigorously at the city hall. He was engaged in a work of destruction and handled the sharp-edged implement with much vigor and small attempt at accuracy or aim. The contractor-councilman worked under the direction of Inspector of Weights and Measures Mahammit, and when he dropped the axe was ready for a rub-down and shower bath. Twice he pleaded for time to rest, which was allowed.

Hoyer was merely fulfilling an annual duty that devolves upon the chairman of the buildings and property committee. It is to destroy all the short measures and weights gathered by the keen-eyed inspector during the preceding year. The crop for 1903 was a big one and included something like 100 wood-baskets and vessels, representing a host of various amounts, but failing to do so. In addition were a large number of ice scales and improper weights. The latter were not exactly chopped up, but were battered until they can be of no future service in the original capacity.

An admiring audience watched Councilman Hoyer swing the axe in a janitor's room and congratulated him on his physical condition.

B. & M. OFFICIALS TOUR ROAD

Vice President Willard Makes Maiden Trip, Accompanied by Omaha and Lincoln Men.

A party of officials of the Burlington, including Daniel Willard, second vice president of the entire system; J. D. Bealer, assistant to the vice president; George W. Holdrege, general manager of the B. & M.; T. E. Calvert, general superintendent; D. O. Ives, general freight agent; J. Francis, general passenger and ticket agent, and Edward Bignell, superintendent at Lincoln, left Omaha yesterday for an inspection of the lines of the company in Nebraska. The party probably will be absent several days. This is Vice President Willard's first trip over the Nebraska division since he assumed the duties of the position in January. It is his desire to look over the property of the company and become better acquainted with the employees.

Mortality Statistics.

The following births and deaths have been reported to the Board of Health during the forty-eight hours ending at noon Monday:

Births—Lawrence Sorenson, 1221 North Eighteenth, boy; Fred Thibault, 1712 Twenty-seventh, boy; Patrick Tully, 1712 Hickory, girl; Alois Treibal, 1915 South Twenty-fourth, boy; J. B. Gibson, 3165 Larimer avenue, boy.

Deaths—Theodore Jack, 206 North Twenty-fifth, 1 month; Carrie Gilmore, 1221 Capitol avenue, 22; Patrick McNamara, 1431 South Sixteenth, 61; Robert G. Rawhouser, Methodist hospital, 83; Edwin Tremaine, 1417 Vinton, 71; Frank Shambien, Twentieth and South Omaha, 63; Henry Ostroff, 717 South Nineteenth, 63; Henry Ostroff, 717 South Nineteenth, 63; Maude Gibson, 1412 Davenport, 46.

Marriage Licenses.

Up to noon February 5 the county judge had issued licenses to wed to the following couples:

Name and Residence. Age.

Frank Gappa, South Omaha, 44.

Rose Warden, South Omaha, 21.

John R. Wells, South Omaha, 44.

May Iler, Omaha, 27.

Theodore Leach, East Omaha, 23.

Alvin Uhl, East Omaha, 23.

Laurel Chambers, Bartlett, 25.

Lelia A. Cleveland, Omaha, 43.

Robert Piper, South Omaha, 21.

Paul Somers, South Omaha, 19.

K. Wedding Rings, Edholm, Jeweler.

Deputy United States Marshal Henry Hoffman has gone to the western part of his state on a United States court business. Deputy U. S. Marshal J. H. Bradley, assistant of Pender to look after other bootlegging cases, has been assigned to the western division of the United States district court. Deputy James Walling has been sick for three or four days, but at his home in Lincoln, hence Deputy Marshal J. O. Moore is the only official on duty in the marshal's office except United States Marshal Matthews.

PERSONAL PARAGRAPHS.

John Neely, traveling agent of the Northwestern, has gone to Chicago.

J. E. Houts, formerly collector of customs in this city, has been appointed assistant land commissioner of the Union Pacific.

E. H. Hastings of LaPlatte, George A. Richardson of Lincoln, C. J. Hosline of Osmond and Ed Young of Hastings are at the Arcade.

Dr. J. C. DeVries, assistant surgeon U. S. N. C. A. Diamond, E. K. Bradley, C. M. Irwin of Creighton and Julian Reed of Chadron are at the Her Grand.

G. W. Langston of Grinnell, W. H. Austin of Franklin, W. F. Ellis of Beaver City, M. R. Madison of Lincoln, C. J. Hosline of Osmond and Ed Young of Hastings are at the Arcade.

J. W. Shurtliff of Ogden, Mr. and Mrs. W. H. Vance, Mrs. F. E. Melcher of Creighton, R. P. Klake of West Point, H. P. Peterson of Dannebrog, J. S. Nichols of Columbus, B. L. Caster of Wilber, C. A. Woodruff of Holdrege are at the Murrey.

W. W. Shurtliff of Ogden, Mr. and Mrs. W. H. Vance, Mrs. F. E. Melcher of Creighton, R. P. Klake of West Point, H. P. Peterson of Dannebrog, J. S. Nichols of Columbus, B. L. Caster of Wilber, C. A. Woodruff of Holdrege are at the Murrey.

L. J. Davis of Craig, John Danke of Lincoln, C. M. Irwin of Creighton, Pat Stanton of Tilden, S. M. B. Bradley of Ogallala, G. C. Telch of Hancock, Charles Kunsmann of Springfield, Jack Carey of Hastings, E. F. Peck of Cedar Rapids and L. P. Orth of Wayne are at the Merchants.

R. M. Schneider has been in Chicago with the other members of the national committee looking over the Coliseum there to suggest such changes as may be necessary for the holding of the national republican convention.

F. G. Salt of Wauna, George D. Leach of Bloomfield, E. R. Gurney of Fremont, William Patterson, C. S. Eaton, M. D. Hatch of Lincoln, Mrs. H. B. Deane of Des Moines, Spokane, C. E. Wintland, J. H. Tingley of Denver, W. H. Green of Creighton, E. F. C. W. Donaldson of the George A. Adams Grain company was one of the first grain men to note the effect of the war rumors on prices.

"It will play mischief," said Mr. Donaldson.

Down near the surface of the water Muldoon called to Ragie to catch hold of his hand. Ragie, who had been too much scared to notice the policeman, reached up and caught Muldoon by the wrist. But the bulkhead logs were very slippery and Ragie was very heavy. Muldoon had nothing to catch hold of, and two minutes later he was in the water with the man whom he was trying to save.

Of course the first thing that Ragie tried to do was to make certain that if he was going down Muldoon should go with him.

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The grocer does not have to worry about the weather, the dust, or to-morrow, because

ALL IN BUT NORTHWESTERN

Remainder of Omaha-Chicago Lines M & Great Western Rate.

CHICAGO MEETING TO PACIFY FACTIONS

Freight Men Say President Stickney Will Stand by Omaha Grain Exchange Despite Influence to Contrary.

The Burlington announced yesterday that the proportional rates on grain announced by the Chicago Great Western to the Mississippi river and Chicago have been met. All lines running east from this city now have met the rates with the exception of the Northwestern, and that line has steadily refused to make proportional rates east in the past, but has persisted in reducing its through rates from Nebraska territory to keep pace with the reductions in proportionals made by other lines.

John A. Kuhn, assistant general freight and passenger agent of the Northwestern, was called to Chicago Sunday evening by officials of his line to take part in a meeting which is being held in that city with the object in view of securing a general restoration of grain rates in western territory.

A preliminary meeting with this object in view was held in the offices of Paul Morton, second vice president of the Santa Fe, in Chicago Saturday. It is understood that the executive officials of the various western lines have grown weary of the action of their opponents, and have arrived at the conclusion that something must be done or it will be but a question of time when the rates will be reduced to a point where the roads will secure nothing for carrying the business.

Stickney Will Stand Fast.

The best posted freight officials state there is no hope of inducing President Stickney of the Great Western to abandon the Omaha grain market to its fate. He may, however, be forced to make some concessions from the stand he has taken in order to reach a compromise and secure the desired stability to the rates, which are as necessary to the upbuilding of a local grain market, according to the best posted grain men, as favorable rates are. An effort will be made by Mr. Stickney to induce the interests which are opposing the upbuilding of the market to view the matter in a different light.

It is said that the Northwestern was represented at the Chicago meeting Saturday and that the stand taken by that line in the rate war was made clear for the first time. Just what the explanation made by the Northwestern amounted to was not made public, but it is understood that since the war has been in effect the officials of that line have changed their views materially and are now ready to negotiate terms of peace.

Traffic officials state that while the grain market is good as at present, there would be a large volume of this class of freight move naturally even at high rates of freight and it is playing the part of suicide for the railroads to haul the business at a loss, as they have been doing.

EFFICIENT FIRE PROTECTION

Pumping Station Takes the Place of Many Engines and Cuts Insurance Rates.

Fire fighting has been revolutionized in Philadelphia. Fire engines have been superseded in part of that city by a plain, massive looking brick building, which guards all the central district. In the case of this district, as a second's notice, it can discharge streams of water to great heights. Suppose a twenty-story office building in Philadelphia should take fire. Six lines of large hose could be attached to the nearest fireplug, and from this one fireplug six great streams could be hurled simultaneously over the office building's roof, as the city fathers assert.

The building whence comes this energy is the new pumping station, with its special pipe line eight miles long, that Philadelphia has just completed after three years' work. The station stands at Delaware avenue and Erie street, in the city's new pumps, and these pumps are able to discharge, at a pressure of 300 pounds, 16,000,000 gallons of water a day. Before it was completed the station had reduced the Philadelphia insurance rate 15 cents on \$100, and that rate is to be reduced 10 cents more.

The station can throw upon a fire 10,000 gallons of water a minute, 60,000 gallons an hour, 16,000,000 gallons a day. In a minute, that is to say, there can be hurled upon a burning building the contents of a tank 12 feet long, 11 feet wide and 11 feet deep; in an hour, the contents of a tank 6 feet long, 56 feet wide and 66 feet deep; in a day the contents of a tank 200 feet long, 200 feet wide and 200 feet deep. And all this water would have a pressure sufficient to raise it to the top of a column from 75 to 700 feet high. Moreover, the pumping station can discharge simultaneously from the same fireplug, through a three and one-half inch hose, one stream strong enough to tear the iron shutters from the top story windows of a skyscraper, and another stream, through a half-inch hose, gentle enough to bathe a baby in.

John W. Weaver, engineer of the city's high pressure service, superintended the construction of the pumping station. The building is of steel and brick. Its dimensions are 72 by 140 feet. Its total cost was \$250,000. With its walls of white enameled brick, it is light, airy and spacious within. It has nine gas units, or pumps, of the total capacity of 2,400 horsepower, and these great engines, which weigh from twenty-five to thirty-five tons apiece, can be started from a state of absolute immobility into full speed in 15 seconds. Running, pumping 16,000,000 gallons of water a day, they make no more noise than as many sewing machines.

The fuel is composed of six parts of air to one of gas. The sparks for the engines are obtained with electricity, and there are four ways to get a current. Thus, in an emergency, should one way fail, another may be turned to; and should that, too, there is a third way and still a fourth.

The pipe line which the pumping station supplies is nine miles long. The pipes, of 16, 12 and 8-inch diameters, were, with all their fittings, made to order. The total weight of these pipes is \$300,000 pounds and the total weight of the various special fittings is \$50,000 pounds. The total cost of the pipe line was \$350,000.—New York Tribune.

WHERE WOMEN DARE NOT GO

None Will Be Allowed to Enter the City Projected by Cell-bates.

The "City of Cell-bates" is to be founded within a few miles of Provo, Utah, and the foundation will be laid within the next few days. That at least is the impression of attaches of the American House, who were on duty early this morning when a picturesque party of foreigners arrived and registered. These men, eight in number, are looked upon as the founders of this new city, which will allow no woman within its walls.

About 2 o'clock this morning a party of men, much resembling Italian brigands as

portrayed in comic opera, entered the American House. They had gold rings in their ears, wore shirts of a spectacular hue, coruscating suits and wide brimmed hats. One man, who was dressed up to the chin in that is, clad in modern American fashion—appeared to be in charge. He put the following names on the register, his own being first:

John Bubalo, Peter Yovanovich, Luka Tomasovich, Luke Yovanovich, Luka Yovanovich, Vaso Yovanovich, Mitter Luskick and women back in Italy, and drawing a number of his friends and relatives about him, decided to go to the New World and found a microcosm where the foot of woman would never be allowed. Nothing was said directly about naming a city of celibates, but from the conversation of the party that was the inference.—Denver Post.

Mike Ragie is of the opinion that the New York policeman is not in immediate need of reform. Ragie came to this opinion after his life was saved by the recklessness and nerve of Policeman Andrew Muldoon of the East Twenty-second street station. Mr. Ragie's opinion is, therefore, prejudiced and of doubtful value so far as reform annals are concerned.

WAR RUMORS INFLATE PRICES

Reports from East End Grain Quotations Skyward and Increase Speculation.

UNCERTAINTY HAS VERY BULLISH EFFECT

Vice President McWhorter of Exchange Expects Little Strength, Even Should Russia and Japan Begin Fighting.

For weeks war rumors from the far east have been kiting high the quotations for grain for future delivery and speculation has been rife. Now that war seems more certain the prices have fallen off.

"This was as I predicted," said S. A. McWhorter, vice president of the Grain Exchange. "While the war between Russia and Japan was only talk the speculators on these exchanges bid grain away up, but as soon as the war corner the prices broke. The high prices are due to uncertainty. The speculators talk war, war, until everybody is excited, and they get the price high. Then the big fellows sell out when they have made as much out of the news as possible, and the first thing the little fellows know the market has broken and left them to settle for themselves."

"Actual fighting will not, I believe, strengthen the market materially. It seems to be this way always, that while there is uncertainty the prices go up and when fighting begins a feeling of relief is experienced and the market breaks. Of course, if long and hard fighting follows, the prices of grain will again go up. A short war of a few weeks may not materially affect the market."

Walsh Takes Same View.

James Walsh takes the same view of the effect which war will produce.

"For some days now," he said, "I look to see the market lower than it has been. For six months they have been working the price up on rumors, now it will stay down. A long war unquestionably will make provisions and grain higher. But corn will not be in demand because of the war. That is why the market in corn this morning went down so much more than in wheat. Wheat will be used by the soldiers, and in the end those countries will have to draw on the United States. Another thing which should tend toward higher prices after a period, is the fact that Russia is so large a producer of wheat and a big war will stop the export of the country. The last crop would, in a large part, be tied up from shipment until spring because of the ice, and the government may forbid its export, or the conditions of war may make this impossible because of Japanese ships. A long war will take the men from the fields. So American wheat can be expected to go up. Oats, also, may be in demand, as they are used on the continent for fodder."

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The grocer does not have to worry about the weather, the dust, or to-morrow, because

are protected by an air-tight package which preserves their high quality under all conditions, to-day and to-morrow.

The Crackle You Hear Is the Sign They are Fresh

NATIONAL BISCUIT COMPANY

5c

LOBSTERS ON THE RAIL

Huge Locomotives Give the Santa Fe Railroad a Lead Over Its Rivals.

The Atchison, Topeka & Santa Fe railroad appears to maintain a monopoly of the biggest locomotives. As soon as any other company approaches the Santa Fe's leviathans in size or capacity the Atchison management orders something bigger and stronger. The latest type, the Decapod, is a favorite of President Ripley for heavy freight. Including its loaded tender this locomotive weighs 450,000 pounds and can haul on a level track a train of loaded cars more than one mile long, equal to a weight of over 4,000 tons.

"What is a decapod?" an engineer on the Erie road was asked by a protesting commuter. "President Underwood seeds one for his fast express."

"A decapod," replied the faithful employee addressed, "is a lobster."

Whether he was aware of it or not, the answer was absolutely descriptive. The name was derived from those crustaceans which have ten feet and are deliberate of motion. The lobster has ten feet and moves slowly. The decapod locomotive has ten driving wheels and is slow. Isn't it singular that a lobster or crab should give a name to a type of locomotive that is reducing the cost of transportation so materially that even bankrupt roads can pay dividends.—New York Press.

Bargains Wanted.

"Is it true," asked the female of more or less uncertain years, who was preparing to work the leap-year privilege for all it was worth, "that every man has his price?"

"I guess it is," replied the venerable sage, "but no woman who is true to her sex will consider it unless he knows he is worth 2 cents from the even dollar."—Chicago News.

Bykes with Gruber.

Although no announcement has been made to that effect it is understood that Joseph Bykes, who has been chief clerk to E. Buckingham, superintendent of transportation, will shortly assume the duties of chief clerk to a Mr. Gruber, a new general superintendent of the company. Mr. Buckingham's offices probably will be moved into the room on the first floor recently vacated by the restaurant, and Mr. Gruber will occupy the offices now used by Mr. Buckingham.

Five Days for Throwing Bricks.

John Dalley will be deprived of his liberty for five days, this being the penalty meted out to him by police court for his particular form of diversionism was to mount the Simpson carriage works. Fourteenth and Dodge streets, and throw bricks below until some one would call, "Where's the mick who threw de brick?"

Ryan on Cincinnati Paper.

John Bryan Ryan, a well known newspaper man who left Omaha in the fall, is

EST. 1847.

Alcock's POROUS PLASTERS

A universal remedy for pains in the back (so frequent in the case of women). They give instantaneous relief.

A Grocer's Ad.

Soda Crackers, Fresh TO-DAY

A. SELLER

Groceries and Provisions

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