

TAX FIGHT AT STANDSTILL

Railway Taxation Suit Promises No Development Until Fall.

AWAITS THE RULO BRIDGE CASE DECISION

Attorneys for Omaha Real Estate Exchange Learn of Ruling by Commission Rejected by the Supreme Court.

Attorneys employed by the city in the railway taxation suits say they do not expect developments of any kind until fall.

It has been made public for the first time that Judge Duffie, Pound and Ames of the supreme court submitted an opinion to the court regarding the Rulo bridge case.

Case Lying Dormant.

Attorney Breen said: "The case in the federal court has lain absolutely dormant, all we have done being directed as intervenors in the Rulo bridge case, which is a case from Richardson county brought by the Chicago, Burlington & Quincy railway to compel the county taxing authority to accept the returns of the state board.

The suit brought by the Omaha Real Estate exchange for mandamus to compel the city council to tax the railroad at their fair cash value has been merged with the Rulo bridge case so that they are being considered together.

The city taxes concerned in the federal court suit, wherein the railroad seeks to restrain the collection of the sums levied, amounts to \$28,000.

FLATS AND COTTAGES GO UP

Present Movement in Building is Pronounced Unprecedented in Annals of Omaha.

John McDonald, architect, has just completed plans for four new flats to be built at Thirty-sixth and Dodge streets, at a cost of \$15,000.

The new First Baptist church at Harney street and Park avenue is rapidly approaching completion. The superstructure is now about finished. The building will cost approximately \$40,000. The building is of the Italian renaissance style of architecture.

F. A. Hennings, architect, is now working on plans for the construction of a three-story flat on Twenty-fifth street just north of Chambers' academy on Farnam street. The building will cost approximately \$5,000. Work on the structure will begin within a few weeks.

Architect Hennings has now in hand about twenty-five dwellings that are in various stages of construction, that approximate in value from \$2,000 to \$5,000. He has also been recently designated as the architect of the new college at Blair. Of the building outlook in Omaha, Mr. Hennings says:

HERPICIDE NOT A FAKE.

Unsolicited Testimonials Tell of Its Superiority.

Alf. R. Kelley, residing at 236 Devisadero St., San Francisco, Cal., writes the following: "When I first purchased Herpicide, I thought, like the majority of hair preparations, it would prove a fake. I am happy to state that, on the contrary, it is all, and even more, than you claim for it. Quite a number of barbers through the medium in which I travel have called attention to the new hair sprouting out on my scalp, and inquired of me what I have been using. I tell them 'Herpicide,' also give them your name and address. Sold by leading druggists. Send 10 cents in stamps for sample to The Herpicide Co., Detroit, Mich. Sherman & McConnell Drug Co., special agents.

SAYS HIS PAL ROBBED HIM

Packing House Employee is Knocked Down and Loses Money and Companion is Arrested.

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way to police headquarters, where he made a report. Captain Shields and Officer Bellows started after Grimes, as Wyrick was confident he was the man who had held him up. Grimes was found without any difficulty and was placed under arrest. No money was found on him when searched and he stoutly denies having had anything to do with the holdup.

Wyrick says when Grimes and he separated for the night Grimes made a quick trip around the block and headed his off. This forenoon Wyrick accompanied the police to the place where the fight took place and on the ground lay two silver dollars and some small change. The supposition is that Grimes secreted the balance of the money. Grimes has a bad reputation, so the police say, and does not pretend to work.

TIN CANS AS AMMUNITION

Details of Battle Between Neighbors Are Related in Police Court.

Rosa Reese and Emelia Nicholas, neighbors, living near First and Woolworth avenue, have told Police Judge Herka just what made the earth tremble, and the stars grow dim in the southeast corner of the city last Friday. The Reese woman was arrested on complaint of assault and battery, filed by Mrs. Nicholas, who is 75 years of age. Mrs. Reese was fined \$5 and costs. She said Mrs. Nichols threw slops over one of her ten children and then added insult to injury by going into the former's yard. Then it is said all peace relations were severed by Mrs. Nicholas throwing a water pail at the mother of many children, who responded with a tin can. The slops were not kept after this, but witnesses declare that many unkind words as well as blows followed the fight of the pail and can.

PUTS WIFE UNDER PEACE BOND

H. H. Ver Mehren Declares Divorced Companion Threatens Him and He Appeals for Protection.

Sarah Ver Mehren, former wife of H. H. Ver Mehren, has appeared before Justice Altstadt as defendant in an action brought by her divorced husband, asking that the woman be bound over to keep the peace. She was bound over to the district court on a bond of \$500. This is another chapter in the domestic troubles of the Ver Mehrens, extending over a period of four years in Omaha. Several years ago the woman was granted a divorce with \$25 per month alimony. Ver Mehren now maintains that she meets him on the street and threatens him.

JUDGES TO TAKE VACATION

Present Term of District Court Probably Will Close Next Week.

Judge Day and Judge Sears will hear the argument in the Bingham-Broadway electric content case next Tuesday, and when it is disposed of it is likely that the present term of the district court will come to an end. Judge Troup has looked himself in his chambers to study and decide the Creighton case, which he expects to dispose of early next week. Judge Burton and Judge Sears have cleared their equity dockets and the jury courts are without a jury, so everything is in readiness for the summer vacation to begin next week.

Imperial Council Nobles of the Mystic Shrine.

Atlantic City, N. J., July 13-18.

The Chicago Great Western railway will, on July 9 and 10, sell round trip tickets at one fare, plus \$2, to Atlantic City, N. J. Tickets limited to July 23. On return trip stopovers will be allowed at Philadelphia, Baltimore and Washington. For further information apply to S. D. Parkhurst, general agent, 1512 Farnam street, Omaha, Neb.

Cannot Be Overdone.

Niagara Falls, the most magnificent of all spectacles, never grows commonplace. Let your summer tour to the east include Niagara. The Michigan Central Vacation Tours for 1904 gives full information regarding routes and rates. It will be found a great help in planning the summer holiday. Address, with three red stamps, O. W. Higgins, G. P. & T. A., Chicago.

End of Week Excursion to Clear Lake, Ia.

Via Chicago Great Western railway. For trains Friday night and all trains Saturday of each week round trip tickets will be sold at one fare to Clear Lake, Ia. Tickets good returning on any train until the following Monday. For further information apply to S. H. Parkhurst, general agent, 1512 Farnam street, Omaha, Neb.

Home-seekers' Rates to North Dakota.

Every Tuesday until October 23 the Chicago Great Western railway will sell round trip tickets to points in the above named state at a great reduction from the usual fare. For further information apply to Geo. F. Thomas, general agent, 1512 Farnam street, Omaha, Neb.

RIGHT TO USE DEAD WALL

Judge Troup Holds That it is License and Not a Lease.

WALLER PETITION FOR INJUNCTION FAILS

Several Unexpected Law Points Come Up for Settlement at the Hearing of Case Against the Gunning System.

The document by which an advertising company secures the right to paint signs on dead walls is not a lease, but a license, according to the judgment of Judge Troup of the district court.

This opinion was given by the court yesterday in denying the application of the Waller Sign company for an injunction to restrain the Omaha Gunning system from painting signs on the outer wall of a building at Twenty-fourth and Cumming streets. Some years ago the Waller company secured what it was pleased to call a lease of the wall from Mrs. Ella Brown, then the nonresident owner of the building. After the pretended lease had run into its second year the building was sold by Mrs. Brown to John I. Redick, who later on let the use of the wall to the Gunning people. The Gunning artists approached the wall and proceeded to paint out the advertisement previously placed thereon by the Waller concern. Then came the application for the injunction.

Nicholson is interested. The Waller company, or which Councilman George F. Nicholson is president, came into court with the assertion that it had a three-year lease on the wall from the former owner, Mrs. Brown. This was met by the other side with the contention that the lease was invalid for the reason that it was executed by the agent of the nonresident owner without the authority of the owner in writing, whereas such written authority is required by law for the making of a lease for a term of more than one year. The court held this point well taken. Then the Waller people argued that as they had entered upon the second year of their leasehold, and had not been given the legal notice of ejectment, they had a right to stick to the wall. In this they were correct, provided the stipulation by which they were given the right to use the wall could be classified as a lease.

Judge Troup, however, held that it was not a lease, but merely a license, a personal grant from the owner of the property. Further, the court held that a license does not run with the property, but is terminated by a transfer of the property to another person.

HEADQUARTERS AT MURRAY

Republican State Committee Locates Permanently and Will Get Down to Business.

"The state republican headquarters have been established in eight rooms at the Murray hotel," said Chairman Burgess Friday morning. "It was erroneously given out,

not by me, but by others, that the headquarters would be, in fact, had been located at the Millard hotel and even the rooms to be occupied were carefully designated, but I wish it understood that this arrangement was never concluded. The headquarters are at the Murray and we shall be in them permanently after Monday. We will get right down to business and move things with energy and dispatch. I think Secretary Allen will be at headquarters a great deal of his time. That is the purpose. I shall return the first of the week and remain there."

Raid on Cherry Trees.

Cherries are ripe! Harry Balcombe, a colored boy now in his fifteenth year, has been arrested on complaint of Samuel Caldwell of Thirty-sixth and Howard streets, according to the judgment of Judge Troup of the district court.

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Shoe the Boy

With shoes that are made for boys—shoes that will stand the hard knocks a real live boy will give them.

\$1.50

has always been a special price with us on a special boy's shoe—and it's a shoe you guarantee.

All solid leather from the sole up—You're making no experiments when you buy this boy's shoe—special help that know how to fit boys' shoes.

DREXEL SHOE CO., 1419 Farnam Street, Omaha's Up-to-Date Shoe House

Nebraska Clothing Co. Reductions in All Departments for Today. Heads of all departments have been instructed to effect immediately a complete clearance of all summer merchandise, no matter what the sacrifice of cost may be. Tomorrow, great reductions in all departments will commence. 100 Men's Outing Suits at \$5.00. Men's Straw Hats—worth 75c—at 45c. Men's Shirts—worth \$1.00—at 75c. Men's Underwear—a great value tomorrow—at 35c. Men's Belts—worth 75c—at 45c. Men's Canvas Shoes and Oxfords Special for tomorrow. Canvas Shoes \$1.15 Canvas Oxfords \$1.00.

ONIMOD The Gentlemen's Shoes \$3.50 and \$2.50. The shoes that are always in style have that fine finish, workmanship and leather, which is never found in other \$3.50 shoes, but in those \$5.00 and \$6.00 ones, can only be bought from our store, 306 South 15th St. Careful fitting is our motto. We are making special efforts to make the ONIMOD better than ever, and in the finest and simplest styles. Our summer Oxfords are all here for you to select from. We also make a genuine Goodyear Welt Shoe for \$2.50. Their equal costs \$3.50 elsewhere. Regent Shoe Co., 205 S 15th St., Omaha.

NURSING MOTHERS will find nothing equal for milk producing qualities. Krug CABINET has always been recommended by physicians for its milk producing qualities. It is invariably used at the INFANT INCUBATORS throughout the country because of its unequalled milk producing qualities. Fred Krug Brewing Co. Omaha's Model Brewery. Telephone 420. OMAHA

Results of Last Week's Contest For Bee Want-Ad Knowledge. Answers to Last Sunday's Questions. 1-Who advertises "Carriages for sale by G prominent manufacturers, including their own make?" Answer—Drummond Carriage Co. 2-Who advertises "Lessons in shorthand free by best system ever devised." Answer—Rohrbaugh Bros. C. C. 3-Who advertises "Just 15 bargains in farm and city property." Answer—Omaha Real Estate and Business Chance Agency. 4-Who advertises "That they are the oldest concern in their line and always try to please their patrons." Answer—Omaha Mortgage Loan Company. 5-Who advertises "High grade new pianos at \$145, \$165, \$185 each—\$10 cash and \$5 monthly." Answer—Schmolzer & Mueller. 6-What company advertises to be the "strongest in the world?" Answer—Equitable Life Insurance Company. 7-Who advertises "To make old silverware good as new?" Answer—Omaha Plating Co. 8-Who advertises "New electric lighted 7-room house with 2 lots in Benson for \$1,700?" Answer—Benson & Carmichael. 9-Who advertises "Racine Wagon & Carriage Co. stock?" Answer—Johnson & Danforth. 10-Who advertises "To write if you want to buy, sell or trade any business?" Answer—The Abbott-Cowan Co. 1-Miss May Sewall, Eighth and Francis St. Prize, Cash \$5.00. 2-Mrs. Geo. McCord, 1633 Kyner Ave. Prize, Set of Dishes, \$5.00. 3-Maud Henry, 1721 Lake St. Prize, "Living Animals of the World," 2 vols., \$3.50. 4-Bermy Hall, 118 North 39th St. Prize, "Life or Napoleon," 3 vols., \$2.50. 5-J. L. Johnson, 301 North 13th St., South Omaha. Prize, History of the U. S., 4 vols., \$5.50. 6-T. K. Bonds, 121 South 21st St. Prize, Book worth \$50. 7-F. J. De la Vega, 3836 California St. Prize, Book worth \$50. 8-C. L. Metzger, 226 Farnam St. Prize, Book worth \$50. 9-G. A. O'Beir, 309 South 27th St. Prize, Book worth \$50. 10-M. Marx, 414 North 23d St. Prize, Book worth \$50. 11-Frank Lindstrom, 353 Seward St. Prize, Book worth \$50. 12-Alice M. Smith, 2412 Bristol St. Prize, Book worth \$50. 13-Mrs. Anna Jaffers, 228 Emmet St. Prize, Book worth \$50. 14-John Lovgren, 62 North 41st Ave. Prize, Book worth \$50. 15-Carl Plank, 122 Madison Ave. Prize, Book worth \$50. 16-Wm. Homolovec, 123 South 12th St. Prize, Book worth \$50. 17-Joe Monick, 294 Cass St. Prize, Book worth \$50. 18-Mrs. G. T. Sprecher, Norfolk, Neb. Prize, Book worth \$50. 19-Raymond Stromberg, 1221 South 23rd St. Prize, Book worth \$50. 20-Wm. Mattes, 1949 Vinton St. Prize, Book worth \$50. 21-Louis Butt, 122 Corby St. Prize, Book worth \$50. 22-Hugh Kidder, 440 Burdette St. Prize, Book worth \$50. 23-Henry Nygaard, 219 South 24th St. Prize, Book worth \$50. 24-Patrick McCloskey, 1813 Burt St. Prize, Book worth \$50. 25-C. E. St. Louis, 122 Emmet St. Prize, Book worth \$50.

\$8.50 St. Louis and Return For tickets good only in chair cars (seats free) and coaches. Dates of sale July 11, 18 and 25. Call on me for further information. Burlington Route J. B. REYNOLDS, City Passenger Agent, 1502 Farnam St., Omaha

WE HAVE just finished our inventory and find our stock a little heavier than we would like. To get it into proper shape we have marked some of our lines of merchandise at a figure that ought to please the purchaser and do the business for us. NO BETTER TIME THAN NOW

This is a genuine bona fide clearing sale, and if you have waited till now, here's an inducement for you: Suits for \$10 that sold for \$15 Suits for \$12.50 that sold for \$18 Suits for \$15 that sold for \$20 Suits for \$18.00 that sold for \$25 EXTRA TROUSERS. There is no one thing that will do so much to tone up the old suit as a new pair of trousers, and at the present price, \$3.25 for trousers that sold up to \$6.50, should be considered mighty good values. Look at our windows and see what good things we are offering, and how reasonable. "No Clothing Fits Like Ours." Browning-King & Co. R. S. WILCOX, Manager.

382,000 ACRES In the Rosebud Indian Reservation Opened for Settlement JULY 5th TO 23rd Special reduced roundtrip tickets on sale July 1 to 22—good returning till August 31 Apply at City Offices, 1401-1403 Farnam St., Omaha, for descriptive pamphlets. Trains for Bonesteel and Fairfax leave Union Station at 8:05 a. m., 2:50 p. m., 11:50 p. m. The chance of a lifetime. THE NORTH-WESTERN LINE