

PROTEST FOR AUDITORIUM

Nash Will File Objection to Tax Commissioner Fleming's Assessment.

BOARD OF REVIEW MAY INSERT PROBE

President of Auditorium May Be Asked to Let Public in on Secret of His Financial Management.

F. A. Nash, president of the Auditorium company, has announced his intention of protesting the assessment made by Tax Commissioner Fleming on the Auditorium. The commission assessed the lots at \$25,000 in conformity with surrounding real estate, and the big building at \$175,000. President Nash says the latter figure is much too high, owing to the incomplete state of the structure. After making inquiry of the Board of Review he decided he would file a written protest.

In connection with the Auditorium assessment it has been suggested that the opportunity be an excellent one to examine into the books and affairs of the corporation to ascertain just how much money has been spent and in what manner. Inasmuch as no public accounting has been made, and the business of the company has been carried on without the knowledge of a majority of the small stockholders, the members of the board have been urged to secure as full an exposition as possible. Whether this will be done has not been decided. President Nash has refused to reveal any of the facts or show the books to other inquirers and members of the board doubt if they could compel him to do so.

Brands Making Statement

The first hearing on the complaints of the Willis Land company took place yesterday, when Arthur Brands appeared for J. L. Brands & Sons to show cause why the Boston Street assessment should not be increased from \$100,000 to \$200,000, as demanded. Mr. Brands failed, however, to bring with him the books, inventories, bills, accounts and insurance policies which Attorney E. D. Pratt had asked for. The merchant said simply that he did not have to produce his books and would not. Attorney Pratt asked him a number of questions, but members of the board said the facts ascertained were not of a character that would cause them to make much change in the assessment. At Mr. Pratt's request the board agreed to request A. G. Heeson, insurance inspector and a member of the firm of Palmer & Sons, to appear at 9 o'clock Tuesday to tell how much insurance was carried on the Brands' stock. There is no way to compel their attendance, according to Chairman Kierulff.

Hearings as to others mentioned in the Willis complaint will begin Tuesday morning and last out the week.

Others Are Cited.

M. Spiesberger & Son, the big wholesale millinery firm, has been cited to appear to show cause why the assessment should not be raised from \$50,000 to \$75,000. The American Sugar Refining company and the Standard Beet Sugar company why an assessment of \$25,000 each should not be fixed. General C. F. Manderson appeared in person and secured a reduction in real estate assessments from \$5,000 to \$3,750.

The personal assessment of Marie Couderier, who is interested in houses of prostitution in the burnt district, was increased from \$600 to \$800; Willow Springs distillery, from \$45,000 to \$50,000; Kingman Imprest company, from \$45,000 to \$50,000; Fred Krug Brewing company, from \$35,000 to \$40,000; Sol Bergman Jewelry company, fixed at \$5,000; J. H. Haney & Co., at \$25,000; Omaha Mortgage and Loan company, at \$12,000, after hearings had been accorded.

Board of Equalization.

Arrangements have been made by the city council for the fourth quarterly sitting as a board of equalization to consider proposed plans of assessment and special improvements. The sessions will be held December 13, 14 and 15 and levies amounting to \$3,742.57 will be under consideration. More than \$1,000 will be for permanent sidewalk built by the city during the year and chargeable to abutting property owners.

The assessment plans to be decided upon, after an opportunity is given to protestants, are as follows:

Damages widening alley between Twentieth street and Twentieth avenue.....	\$ 411.80
Damages opening alley between Twentieth street and Twentieth avenue.....	175.00
Sewer in District 284.....	1,321.07
Sewer in District 285.....	785.34
Sewer in District 286.....	11,604.92
Sewer in District 287.....	5,900.23
Sewer in District 288.....	452.58
One-half cost grading street from Bancroft, 300 feet north.....	163.78
Permanent sidewalk, cement.....	224.41
Permanent sidewalk, brick.....	22,165.49
Total.....	\$31,742.57

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—C. E. Rigby, 2809 Camden avenue, girl; James Craven, 4915 North Seventeenth, girl; 1848 Anderson, 1828 North Seventeenth, boy; Fred Jernoud, 284 Twenty-eighth, boy; Joseph Bailey, 308 North Thirty-fourth, boy; Joseph Todd, 1705 South Fourteenth, boy; Luther Maupin, 1718 South Eighth, boy; Max Pleiss, 341 South Thirtieth, girl; William J. Powers,

A REPUTATION.

How It Was Made and Retained in Omaha.

A good reputation is not easily earned, and it was only by hard, consistent work among our citizens that Doan's Kidney Pills won their way to the proud distinction attained in this locality. The public endorsement of scores of Omaha residents has rendered invaluable service to the community. Read what this citizen says:

Mr. George McKenke of 4804 North 24th street, says: "My back ached and symptoms of some disturbance of the kidney secretions existed. Procuring Doan's Kidney Pills at Kuhn & Co.'s drug store, corner 15th and Douglas streets, I took a course of the treatment. A dose or two relieved me, and finally the annoyance ceased. When Doan's Kidney Pills helped a man of my age, they certainly can be depended upon to bring speedy assistance to those more susceptible to the action of medicine."

Sold for 50 cents per box by all dealers. Foster-Milburn Co., Buffalo, N. Y., sole agents for the United States.

Remember the name Doan's and take no substitute.

Benson, girl; Oscar Smith, 3337 Spaulding, boy; Neath-Pearl Woolsey, 608 North Forty-first avenue, 3 months; J. B. Vawter, 445 Grant, 65.

THREE BLIND MEN MIX UP

Sightless Musicians Get Into Dispute Over Prior Right to Certain Street Corner.

Music did not have charms to soothe the ruffled temper of Blind Tom, Blind Harry and Blind Billy in a vacant lot on North Eleventh street Sunday evening, according to reports received from several who saw the sightless triumvirate in a mixup for territorial rights.

The men are blind musicians, who come and go according to inclination. They all met for the first time Sunday afternoon around the focal board, consisting of a soap box on which had been placed a can of beer and a sack of pretzels. The can was replenished at certain times and the volubility of the three blind musicians increased with the lengthening shadows. During the post prandial exercises a discussion arose over the advisability of the three men occupying this field of activity at the same time. A secret vote was taken, after which each one accused one of his companions of stuffing the ballot. The meeting broke up in disorder, and Blind Harry and Blind Billy went to Council Bluffs for a change of climate. Blind Tom remained in Omaha, and reported the loss of his watch, which he says does not have a crystal, as he tells the time by feeling the position of the hands with his fingers. He is positive that neither of his companions had anything to do with the loss of his timepiece.

DIVORCES ARE STILL POPULAR

Applications for Undoing Marriage Vows More Numerous Than Those for Hymeneal Obligations.

Three applications for marriage were asked in Omaha Monday, but more applications for divorce.

Alexander Jeter has asked the district court to grant him a divorce from Carrie Jeter.

Velma Reinhardt has been granted a divorce from George E. Reinhardt. Judge Sutton found her contention of cruelty to her husband and says he has never supported her, but on the contrary she has had to support him, and when she declined longer to do this he left her.

In the suit of Hans Jorgensen against Lina Jorgensen the latter has filed a cross-petition. She denies the charges made by her husband and says he has never supported her, but on the contrary she has had to support him, and when she declined longer to do this he left her.

Joseph J. Callier finds fault with Anna Callier and asks for a divorce. He says she was cruel, in that she attacked him one time with a carving fork. Likewise he is prepared to prove she carried a revolver ready for him, and also refused on sundry occasions to cook his meals. He asks the possession of their one child.

BILL BAILEY IS HOME AGAIN

Tells Judge Berka He Is Cornhusker, but Court Has to Be Shown.

Bill Bailey has come home again. He was arrested on a charge of vagrancy and when arraigned before the police judge pleaded not guilty on the grounds that he was working and carrying his tools with him. Judge Berka could not see any tools sticking out of Bailey's pockets, so he ventured to ask the prisoner what manner of man he was when on duty.

"Judge, I'm a corn husker, dat's what I am. Heah's mah huskin' razzah and heah's mah two wuking han's, as honest a pair of han's as ever do good Lord made. Dar ain't no other agin mah name, Judge. Jes write to dah man ah bane wuking fer," said Bailey as he offered the corn husker as exhibit A.

BIDS FOR CITY ASPHALT PLANT

Proposals Once More Are Solicited by the Board of Public Works.

The Board of Public Works has advertised for bids for the construction of a municipal asphalt repair plant to be opened January 13. The specifications, which were prepared by City Engineer Rosewater, call for a capacity of 500 square yards a day. This is the second time the city has asked for bids on such a plant, which is expected to save a great deal of money. Last fall only one bidder responded to the invitation and his amount was the limit—\$10,000. By giving more time it is thought some competition can be secured and Councilman Nicholson, the father of the movement, has pushed it to the front again. He wants the plant ready for operation in the spring.

LOCAL BREVITIES.

The official appointment of Charles W. Pearshall as stenographic reporter for Judge Howard Kennedy, Jr., was filed in the office of the clerk of the district court.

George J. Crane has brought suit in the district court against James A. Boice for \$10,000. He claims to have furnished the defendant that amount and says the latter has on Jan. 1 in the First National bank sufficient funds to pay the claim.

Louis Godola has begun suit in the district court to quiet the title to lot 4, block 228, which lies near the Union Pacific tracks at Mason street. He says he is the only owner of the premises, but the railway has some sort of pretended claim.

Additional litigation arises from the trouble at Adair. Blair Benson was given a team, this being the first big game of the season in Omaha. The lowans are to make a tour on the first of January to the University of Nebraska at Lincoln.

Randolph Carter has been given a judgment by Judge Redden for \$1,000.00. Carter to the amount of \$1,000.00. The defendant during December, 1904, was declared insane and Julius E. Carter was appointed his guardian. The latter failed to contest the suit and the judgment was given by default.

The Herkimer company has been incorporated to do a general real estate and security business. The capital stock \$50,000. Frederick P. Bellinger and Alphonse Bellinger are the incorporators and constitute the first board of directors, and the first president of the company and the second vice president.

Charles Thompson and John Shields are being tried before Judge Day on a charge of burglary. They are considered by the men who entered the premises of the Pearson-Kole hardware store and took therefrom six and one-half dozen blued-nosed combs, seventeen neckties, two dozen colored handkerchiefs, underwear and other effects to the total value of \$23.82.

Domestic infelicity figured lightly in the court today. Elmer E. Emery was given a divorce from Harry D. Emery by Judge Sears for non-support and cruelty. They were married September, 1897. Altra May Smith and William Smith were divorced a year ago by Judge Baxter on the grounds of non-support and drunkenness and the custody of the children given to the mother. The decree, however, was not read until today.

Dr. J. C. Howe of 2509 Grant street has been cited to appear in police court where he was arraigned on the charge of neglecting to notify the health commissioner of the existence of a case of scarlet fever said to have existed at the Talbert-Carlson residence, 1515 North 16th street, in the case was sworn to by Health Commissioner J. B. Ralph. Dr. H. L. Arnold also testified to the existence of scarlet fever at the Talbert home.

MITCHELL AND ERWIN CLEAR

Joint Indictment Brought Under Summers' Direction Nulled by Baxter.

CASE IS STRICKEN FROM THE DOCKET

Both Men Are Personal Friends of Senator Dietrich and Were Stigmatized at Same Time of His Punishment.

The joint indictment found against Postmaster J. C. Mitchell of Alma and W. M. Erwin of the same place, charging them with conspiracy, was nulled by United States District Attorney Baxter and upon his recommendation the case was stricken from the docket.

The indictment against Mitchell and Erwin was brought by the federal grand jury in November, 1903, under the regime of W. B. Summers as United States District attorney and was the outgrowth of a bitter factional fight against Senator Dietrich, Messrs. Mitchell and Erwin being warm personal friends of the senator. The specific charge against Mitchell and Erwin was that they sought to fraudulently increase the sale of postage stamps of the Alma postoffice, in order that the compensation of the postmaster might be thereby increased.

Erwin was charged with being the special agent of Mitchell in selling or undertaking to sell a large quantity of postage stamps to the Nebraska state officials. It however, appeared upon the further investigation by District Attorney Baxter that the increased sales of stamps accomplished by Erwin and Mitchell did not affect the revenues of the office to the extent stipulated in the indictment, hence the dismissal of the case was recommended and ordered.

Four Before Judge Munger.

Four additional parties indicted at the recent session of the federal grand jury were taken before Judge Munger in the United States district court for arraignment. They were:

Garrison Bare, charged with selling liquor to Indians. He pleaded guilty and was remanded back to jail to await sentence.

Louis Halberg pleaded not guilty to selling liquor to Indians and was remanded for trial.

David Archer pleaded not guilty to selling liquor without first paying the necessary special tax and was remanded for trial.

Henry Ritterbach pleaded guilty to engaging in the liquor business without paying the requisite special tax exacted by the government and was sentenced to pay a fine of \$100 and costs and to be confined in the Douglas county jail for thirty days.

Freston Brooks, sr., pleaded guilty to assault and battery on the person of the postmaster at Fort Robinson and was sentenced to three months' imprisonment in the Douglas county jail. Mr. Brooks' special offense grew out of his indignation over the arrest of his son, bearing the same name, who was a clerk in the Fort Robinson postoffice and who was charged and later convicted of embezzling a number of letters from the office and appearing to be a member of the postoffice.

Mr. Brooks, senior, did not believe his son was guilty of the charge at the time and so he proceeded to whip the postmaster for accusing his son of dishonesty. No cases were ready for trial in courtroom No. 2, owing to the nonappearance of witnesses, and the bootlegging trials set for hearing before Judge Munger had to go over until 2:30 this afternoon.

LOWE'S CASE WILL GO TO TRIAL

Demurrer Is Overruled by Federal Judge Carland.

Judge Carland handed down his decision in the Elliott-Lowe case, overruling the demurrer and the case will consequently go to trial under the original indictment.

Elliott Lowe, a former member of the Nebraska legislature from Harlan county, was indicted by the federal grand jury in November 1903 on the charge of conspiracy. It was during the term of the legislature of which he was a member that Governor Dietrich was elected United States senator and Mr. Lowe voted for him for that office. It was charged by Senator Dietrich's political enemies that Mr. Lowe was made the dispenser of political patronage in the district from which he was elected as Senator Dietrich's special personal agent and that he exacted and received certain sums of money from aspirants for political appointments and that the same was to be divided with Senator Dietrich. The indictment against Mr. Lowe was based on these grounds.

Mr. Lowe, through his attorneys Messrs. Thompson of Alma and Charles J. Greene of Omaha, demurred to the indictment shortly after it was returned, and the case came to final argument before Judge Carland in the United States circuit court Friday, with the result of the demurrer being overruled.

WHO WROTE TO "MY DEAR JIM?"

Question Confronting James Robb, Testifies in Divorce Suit Brought by Wife.

Another construction was placed on the "My Dear Jim" note in Judge Troup's department of the district court when James Robb, assistant traffic manager of the Cudahy plant, took the stand to deny his wife's charges of cruelty. This note Mrs. Robb testified to having found in her husband's pocket.

Robb, on the stand, testified he did not know who had written it. After his wife had found it and had accused Miss Laura Kroh, the second stenographer, of having written it, Robb said he himself asked Miss Kroh and she said she had not written it. Robb testified he had found the note open on his desk on his return one day. He said there were a dozen desks within ten feet of his and 150 in the room. Also he said there were twelve stenographer girls. It was the custom, he added, to pass notes about the office for the fun of the thing. He testified to thinking the note was written by one of the young men in the office.

Mr. Robb spent considerable time in denying the charges of cold-heartedness and cruelty incident to an operation which kept Mrs. Robb in the hospital for three weeks. Robb testified during that time he only missed three or four days in going to see her. He denied any harsh words and told of consultations as to her condition and as to what should be done for her comfort which he had with the doctors. He told of kissing his wife on various occasions.

Railway Notes and Personal.

E. L. Lomax has returned from Chicago on a tour on his hands and feet as passenger department of the Union Pacific.

Edwin C. Brown, secretary to A. L. Mohr, general manager of the Union Pacific, has returned from Chicago.

The new time cards of the Missouri Pacific have been turned in by the names of its head officials for the first time. They are: C. S. Clarke, vice president; A. W. Sullivan, general manager.

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van, general manager; J. Russell, superintendent; and W. C. Wilson, superintendent of transportation.

P. E. O'Connell, who has been passenger director of the Burlington, has been transferred to Denver. His successor has not yet been appointed.

Fred Montmorency, assistant general freight agent for the Burlington, has again been called to a meeting at Chicago, where the lumber rates are to be reviewed by the western and southern lines.

Daniel Willard, vice president of the Burlington, arrived in Omaha Sunday on his way east after a general tour of inspection. He was accompanied as far as Billings by G. W. Holdrege, general manager, and J. N. Hill, son of J. J. Hill. The latter spent several hours in the city, and in the evening started back by the way of Billings. The three officials occupied their private cars.

LAW SUITS TO GET DAMAGES

Cases Brought in District Court Aggregating Over Fifty-Five Thousand Dollars.

Some heavy damage suits were begun in the district courts. Helen Goodwin asks for damages from the city of Omaha, to the amount of \$10,400. Mrs. Goodwin was injured some months ago by a defective sidewalk in front of 234 Hamilton street. The walk, she says, was full of holes and loose planks and the stingers were from six to twelve inches from the ground. The walk, she says, was full of holes and threw her down violently. Owing to her delicate condition she claims to have sustained severe injuries.

Lillian Ashley, by her next friend, Ida M. Ashley, brings her suit against the Omaha & Council Bluffs Street Railway company for \$20,000. This is for the loss of the 12-year-old girl's right foot. She was injured at Sixteenth and Cassel streets July 25 last, while crossing the street. She noticed a northbound car approaching and hurried across in front of it, but did not see a southbound car, which was also near. This car struck her and cut off the portion of her right foot. This necessitated an amputation and later a second operation, which removed the entire foot. The claim for damages is based on the statement that the car was running at too great a rate of speed and the motorman did not lower the fender.

Harold Bell comes into court again with his suit because of the breaking of his right leg by a fall from a scaffolding twelve feet from the ground while he was working at the new power house of the street railway. This happened in June last and Bell sued the company. He now brings suit against William R. Rochford and Frank P. Gould, the contractors who were putting up the building. He claims the company was negligent in the manner of putting up the scaffolding. He asks \$25,000.

HAIL TO NORWEGIAN GROUSE

Game Birds from the European Peninsula Are Brought to Omaha Markets.

Omaha's epicures may now have game all the season and need not fear arrest by the game warden for eating birds out of season. They cannot have quail, prairie chickens, ducks and other well known American game birds, but they may have magnificent grouse from Norway, and there are no restrictions shown on the Omaha market that these imported aristocrats from the far-away fields of the northland.

This is one of Omaha's new industries, as yet in its infancy, but with a promise of growing to goodly proportions, for the game grouse is in good eating at a price almost as cheap as the native article. They are nearly pure white in color, have more feathers than a chicken, have a top knot like a California quail and have been pronounced by the game warden and his assistants as all right.

Banquet boards may hereafter be graced with grouse in season, and the first consignment of these birds was received a few days ago by David Cole, 1,300 grouse, direct from Norway.

"It is a small number," said Mr. Cole, "but it is a starter and I expect to be importing them in the near future by the thousands, for there is always a demand for game and the supply never equals it. They cost about \$7 a dozen, not much more than for the regular American prairie chicken, and they can only be had in limited numbers in season, while these white beauties come all the year around."

BIDS FOR FIRE ENGINE HOUSE
Proposals on Station at Twenty-Fourth and Cumming from Leading Architects.

Some of the best architects in Omaha, it is said, will submit competitive plans for the new fire engine station at Twenty-fourth and Cumming streets. The estimated cost is to be limited to \$25,000, but inasmuch as the best plans for the least money will be the objects sought by the Advisory board the price is expected to drop considerably below this figure.

Experience Comes High.
A festive farmer from Iowa, who had been in his pockets, yesterday afternoon fell in with an innocent-looking young woman in the streets of Omaha. The two became quite like old friends, in fact told each other their real names and promised to exchange photographs. Being invited to the room of his new acquaintance, the farmer accepted. Later, on leaving, he had difficulty in finding money to pay street car fare, and as he knew that he had \$25 before he met the woman and also knew that he had not been trying with the tiger, he hastened to the police authorities with his tale of misplaced confidence. A description of the young woman

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Nebraska Clothing Co.
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WE HAVE MOVED TO "1608"
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FINE PLACE TO RECEIVE OUR CUSTOMERS
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Automatically Screened Coal
is worth more money than poorly screened coal and
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1608 HARNEY.


THERE is no fur coat that has to do such real work as the one that keeps the man who drives warm. Not for an hour at a time, but day in and day out this coat faces the sleet and snow and killing cold.

The Gordon Wombat Coat stands it all. It comes out of camphor for another year's battle as sturdy as when it was new. Here quality means WORK, and every seam is sewn in strong, healthy leather that holds the stitches. Just as useful for others who fight cold for long stretches, and not an ounce of weight that isn't absolutely essential.

It's a rugged, good looking coat, too, that you'll be glad to see yourself wearing.

Prices vary. Do not buy the very cheapest unless you must. And be sure it's a Gordon Coat—\$22.00 to \$35.00.

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We will send any boy the first **10 COPIES FREE.**

Four weeks ago we sent Clifford Hans, Germantown, Neb., ten free copies, and he is now selling 30 copies every Saturday afternoon, from which he gets 50 cents profit. You can do as well if you try.

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KUNH & CO., 15th and Douglas street.

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child's medicine that cures the teething
fever, colic, and all the other troubles of
infancy.