

## TAX CASE COMES UP TODAY

Attorneys in City to Take Up Railroad Injunction Against County Treasurers.

## ARGUMENT TO BE MADE IN DEMURRER

Twenty or More County Attorneys Expected to Be Present to Advise with Attorney General.

Attorney General Norris Brown, J. L. Chadwick, attorney for Lancaster county; S. D. Kelvin, attorney for Gage county; and J. C. Moore, attorney for Johnson county, arrived in the city last night preparatory to appearing in the federal court today when arguments will be heard on the demurrer filed by the state against the action of the railroad which seek to enjoin the collection of their 1904 taxes as assessed and levied. Mr. Brown said that he expected that twenty or more county attorneys would be present during the submission of the case, which affects every county in the state. Those already here held a conference at the Paxton hotel last night, but nothing was given out. "It is our intention to press the case and get it submitted with all possible speed," said the attorney general. "We object to the injunction on the broad grounds that the federal court has no jurisdiction in the case and that it has no power to enjoin the collection of the taxes in the manner asked."

This is the case in which the railroad declare they were assessed unequally by the State Board of Equalization in comparison with other property. It involves thousands of dollars in taxes throughout many counties of the state.

## NOTICE

To the Members of the Commercial Club.

There will be a meeting at the club rooms today at 12:30 p. m. of the jobbers, manufacturers, bankers and other business men to consider matters of vital importance to the business interests of Omaha.

It is necessary that this meeting be attended by the heads of all the various houses.

W. S. WRIGHT, President.  
F. W. JUDSON, Chairman Ex. Com.

## Funeral of Mrs. Benson.

The funeral of Mrs. J. Benson is to be held Sunday afternoon at 2 o'clock at All Saints' church. Rev. T. J. Mackay is to conduct the service. The interment, which

**St. Mary's Ave. Congregational Church Vesper Services Sunday 4:30 Rev. Robt. Yost Special Music**

## COAL

It is our business to know something about coal. We will tell you the truth about what we know.

Bevier Mo. Lump .....\$4.75  
Bevier Mo. Nut .....\$4.50  
Cherokee Kan. Lump .....\$5.50  
Cherokee Kan. Nut .....\$5.25  
Illinois Lump .....\$6.25  
Illinois Washed Nut .....\$6.00  
Rock Springs Lump and Nut .....\$7.40  
Bonanza Ark. Lump .....\$7.50  
Sparda Ark. Grate .....\$8.50  
Hard coal, all sizes .....\$11.00

All "automatically" HAND SCREENED. At least our customers say our coal is WELL SCREENED.

Central Coal & Coke Co.  
15th & Harney Streets  
Phones 1221-1695-4718

## Public Attention

Is hereby directed to the great sale of Men's, Boys' and Children's Hats at Hayden Bros. The undamaged stock from the Martin-Cott Hat Co. goes on sale Saturday a. m. and will be an event of the keenest economical interest to all buyers. See large ad on page 8.

**PARKER'S HAIR BALSAM**  
Promotes the growth of the hair and gives it the lustre and softness of youth. When the hair is gray or faded it BRINGS BACK THE YOUTHFUL COLOR. It prevents dandruff and hair falling and keeps the scalp clean and healthy.

PAY FOR CHAMPAGNE—NOT FOR DUTY  
**COOK'S CHAMPAGNE**  
SERVED EVERYWHERE

## CASES IN THE DISTRICT COURT

Expert Testimony Slowly Gathered in Trial of the Sholes Damage Suit.

A closely drawn legal battle is being fought out in Judge Redick's court in the case of Lewis Sholes against The H. J. Penfold Company for damages by reason of the loss of a hand through the explosion of a flash lamp. There are several attorneys for the defense, led by R. S. Hall, while M. A. Hall is the principal attorney for Mr. Sholes.

The flash lamp which exploded is of peculiar construction, yet apparently simple in operation. It required the most patient endeavor on the part of plaintiff's attorney to get in testimony concerning the construction and operation, also testimony relating to the different kinds of flash powders. As the whole subject is largely technical, experts are being used, and they are having many thoughtful moments between the attorneys for the litigation. Much care is making the progress of the case rather slow and it promises to lap over into next week.

Judge Estelle and a jury are engaged in hearing testimony in the personal injury case of Mrs. Lucy Weber against the city of Omaha. The plaintiff claims she was seriously injured by falling at the crossing at Sixteenth and Harney streets by reason of a hole in the pavement which the city neglected to repair.

Judge Day and a jury still have the Karsten and McCarthy case on trial, in which the state is seeking to convict the defendants of attempted burglary, their instrument for breaking and entering being a pop bottle filled with sand.

The case of the State against James M. Beck is now on trial. Defendant is charged with having forged an indorsement on a certificate of deposit for \$20 and gotten the money on the same at South Omaha.

## DARTMOUTH ALUMNI BANQUET

Eighth Annual Reunion of the Association of the Plain Well Attended by Graduates.

The Dartmouth Alumni Association of the Plain held its eighth annual reunion and dinner at the Millard hotel last night, about a score of graduates of the eastern seat of learning and their wives attending. County Superintendent Edwin J. Rodwell, '88, was master of ceremonies and the invocation was made by Rev. W. R. Adams of the class of '68. President H. E. Lewis, '72, delivered his annual address after the "cave notes." Arthur K. Dame, '82, discussed the Panama canal situation; Arthur H. Norris, '00, talked about the restriction of immigration; Rev. Harvey C. Wood, '44, spoke of the diminished demand of the present of applicants for the ministry, and B. Wynne Matteson, '08, closed the program and revived old memories by describing the Dartmouth of today. The out-of-town guests were: H. C. Wood, '44, of Aurora, Neb., who is 88 years old; H. E. Lewis, '72, of Lincoln; Judge Wilbur F. Bryant, '77, of Lincoln; Mr. Sawyer, '72, and wife of Kearney; A. H. Norris, '00, and wife of St. Paul; A. K. Dame, '82, of Fremont.

The following officers were elected: Honorary president, Rev. H. C. Wood, '44, Aurora, Neb.; president, C. W. Falloff, '38, Omaha; vice president, C. H. Sawyer, '72, Kearney; secretary-treasurer, B. W. Matteson, '08, Omaha.

**Announcements of the Theaters.**  
Miss Mabel McKinley, who has been delighting Orpheum patrons with her fine voice, will be heard for the last two times, matinee and night, today.

Next week, beginning with a matinee Sunday, McMahon's Minstrel Maids and Watermelon Girls will be the headline attraction. This big act is one of the latest New York vaudeville successes. It is a bright, jingling, musical melange and regular minstrel show given by sprightly and pretty maidens who can sing and dance. The Ching Lan Poo troupe of Chinese magicians is another big act. Cunningham, "the jail breaker," is a wonder-worker rivaling Houdini. He will court the efforts of the local experts and fly cops to fasten him in handcuffs and leg irons. Other features embraced on the program are: Elmore, Falke, the dainty singing-comedienne; C. Grant Gardner and Marie Stoddard, impersonators, mimics and musicians; the dancing De Muths; Lindsay's educated dogs and monkeys and entirely new kinodrome pictures.

Mildred Holland's engagement at the Boyd closes with two performances of "The Triumph of an Empress" this afternoon and evening. On Sunday afternoon and evening the attraction will be William A. Brady's great production of "Way Down East." This fine drama of home life in New England has never aged a minute, but is still the same fresh, appealing story of real life that it has been from the first. Its popularity has never been questioned nor its effectiveness doubted. It will be given here with all the original accessories and scenic equipment and a competent company. The engagement is for the one day only.

## It is an Education

That every citizen of the United States should have, viz., a visit to the national capital. March 1, 2, 3 agents of the Pennsylvania lines will sell tickets, Chicago to Washington, at rate of \$17.75 for the round trip. This is a rare opportunity. Persons taking advantage of these rates also have the advantage of witnessing the inauguration of President-Elect Roosevelt. Six trains daily. Through sleeping cars. Agents of connecting lines will sell you through tickets over Pennsylvania lines from Chicago and make sleeping car reservations for you. For full information address THOS. H. THORP, T. P. A., 26 U. S. Bank Building, Omaha.

Just received, car of Portland cutters, also bobs. LININGER & METCALF CO.

A. B. Huberman, diamonds. Direct Imp.

Harry B. Davis, undertaker, 41 S. 15th.

**Tennessee Miners Strike.**  
JELICO, Tenn., Feb. 10.—Two hundred miners employed at the Birdseye coal mine struck today because of the alleged refusal of the company operating the mine to extend recognition to the miners' union.

## DIED.

DELANEY—James, February 5, 1905, aged 60 years 5 months and 1 day, at his home, the Lange hotel, Thirtieth and Jackson streets.

Custer post, Grand Army of the Republic, will hold their services at the Lange hotel at 9 p. m. Sunday, after which the body will be removed to Masonic hall, services will be held at 2 o'clock. R. W. Underwood, of St. John's lodge, No. 25, A. F. and A. M., deceased, will be interred at Forest Lawn cemetery, friends invited.

STEPHENS—Eva Grable, February 9, 1905, aged 62 years, beloved wife of Charles F. Stephens.

Funeral Sunday afternoon, February 12, at 2 o'clock, from Harry B. Davis undertaking rooms, 41 S. 15th street. Friends invited. Springfield, Ill., papers please copy.

STEINHAEUSER—Lina, February 9, 1905, aged 55 years, wife of Frank N. Steinhäuser.

Funeral Saturday afternoon, February 11, at 2 o'clock, from her daughter's residence, Mrs. Leo Grothe, 112 South Twenty-ninth street. Interment Prospect Hill. Friends invited.

## AFFAIRS AT SOUTH OMAHA

Plans for Beautifying Residence Districts Are Being Discussed.

## PARKING STREETS ONE OF THE LEADERS

Many Citizens Have Already Begun the Work in Anticipation of an Ordinance that Will Make It Legal.

Within a short time the mayor and city council will take up the matter of parking a number of streets. So far Twenty-third street, from P to J streets, has been parked, but the intention of property owners now is to park the street from A to J streets. There is at the present time an ordinance in force regarding the parking of streets. This ordinance was passed on July 16, 1898, and was signed by W. G. Sloane as mayor and Thomas Hector as clerk. This ordinance provides that in parking streets a fifty-foot street may be parked ten feet; sixty-foot streets, twelve feet; sixty-six-foot streets may be parked thirteen feet; eighty-foot streets, sixteen feet and streets 100 feet in width may be parked twenty feet. On their own account a number of property owners have parked their streets with the expectation that an ordinance will soon be passed making this permissible.

Some of the streets in the residence portion are considered too wide and the object of parking is to permit the planting of trees and the location of flower beds between the sidewalk and the curb lines. If this is done as the property owners propose many of the residence streets will be parked during the coming summer. There is also some talk of trying to establish a boulevard in South Omaha, and if this is done the parked streets will come in for their share of the benefits to be derived from the boulevard fund.

## Funeral of Ralph Sage.

Ralph Sage, one of the best known men in South Omaha, as buried yesterday by the members of Bee Hive lodge. Services were held at the First Presbyterian church, Rev. R. L. Wheeler officiating. The church was crowded with friends and relatives of the deceased and floral offerings were something out of the ordinary. The pall bearers were W. B. Wymann, B. E. Wilcox, J. W. Hastings, Charles McAdam, J. F. Schultz and A. B. Farver. At the grave in Laurel Hill cemetery the Masons held the final service over the dead. This ceremony was in charge of C. C. Howe, master of the lodge.

## Will Let Snow Remain.

Mayor Koutsky said yesterday that he had been asked a number of times why he did not put men and teams at work removing snow from the streets. In reply to this question the mayor said to a Bee reporter last night that to move the snow would cost about \$1,500. There still remains in the street repair fund about \$1,500 and this must last until August 1. "I will not permit an overlap in this or any other fund," said the mayor. The snow will have to melt and run off into the sewers, for I do not propose employing men and teams to remove the snow from the streets or sidewalks. "It was suggested to the mayor that he might give work to quite a number of unemployed men in the removal of snow, but this the chief executive refused to do as he said that the money in the street repair fund would be needed in the spring and summer."

## Christian Association Notes.

The annual valentine masquerade of the boys' department will be held Saturday evening. All friends of the department are invited.

Sunday afternoon George Van Winkle will speak to men at 4 o'clock.

State Secretary Bailey was the guest of the January club this week.

The report of the finance committee at the meeting of the board of directors was very gratifying. More men are giving and giving larger amounts than ever before and the prospects are that the business end of the association will be on a good basis by the end of the next sixty days.

Several members are expected to attend the state convention at Grand Island this week.

## Mangle City Gossip.

A daughter has been born to Mr. and Mrs. Lewis Fritz, 211 Q street.

T. Kungler, thirty-fourth and U streets, reports the birth of a son.

E. T. Miller, twenty-seventh and N streets, is on the sick list.

A. A. Thurlow has recovered from his recent illness and is at work again.

Mrs. P. C. Marsh, who is seriously ill, was reported to be some better last night.

Police Judge King had only one vagrant before him yesterday and he let him go.

Mrs. Henry C. Richmond is confined to her home with a severe attack of the grip.

D. S. Parkhurst is again after being laid up for a number of days with throat trouble.

The young son of Councilman William Martin was reported to be considerably improved last night. He is suffering from pneumonia.

Otto Slesamen of Omaha has started excavating for foundations for a store building to be erected on Twenty-sixth street just north of O street.

City officials are cutting down expenses in the distribution of charities. The fund exhausted and only the very needy will be given assistance hereafter.

About 100 members of the local lodge of Eagles went to Council Bluffs last night as the guests of the Eagles over there. The party from South Omaha went over in a special motor car and returned the same way.

## Funeral Notice.

St. John's lodge No. 35, A. F. and A. M. The funeral of our late brother, James Delaney, will be held from Masonic temple 18th and Capitol avenue, Sunday, February 12, 1905, at 1:30 o'clock p. m. All friends invited. CHARLES A. TRACY, C. E. HERRING, Secretary, Master.

Rev. Dr. O'Connor's Lecture.

In Creighton college last night, Rev. Dr. O'Connor gave the first lecture of the semester for the benefit of the law students, on "Psychology and Theology." These lectures are to be continued throughout the school year, every Friday night and form an important part of the law students' work. On

Monday night Rev. M. R. Stritch will give lectures on ethics.

## SNOW PLOW STRIKES TRAIN

Conductor, Loudy Caught in Caboose and Crushed to Death.

A snow plow sent out on Thursday night by the Chicago, St. Paul, Minneapolis & Omaha road to open the snow drifts plunged into a freight train with fatal effect. The freight was local No. 16 and was battling with the growing drifts between Sioux City and Omaha. Near Dakota City there is a sharp curve in the road. The snow plow had been sent out to clear the road and was making good time. A cloud of swirling snow helped to obscure the vision and the engineer could not see the lights. Between 11 and 12 o'clock he approached the train, which was slowing up. Before the engineer realized his danger he plunged into the caboose of the freight. Conductor J. S. Loudy was in the caboose alone and before he realized his danger the snow plow was plunging into the car. The conductor was pinned to the side of the caboose and crushed to death. The remains were taken to Sioux City, where Conductor Loudy's family lives. He is survived by his widow and two children. Two members of the crew were injured, but not seriously, by being thrown from the train. The snow plow was in charge of Engineer Wiebers. It is claimed that owing to the snow and the bend in the road he could not see the danger signals in front.

Correct quality goods and lowest prices at A. B. Huberman's, Jeweler, 15th & Doug.

## FARNAM AND FIFTEENTH

United States Army Shoes Saturday \$2

## CLOTHES FOR MEN AND WOMEN

Made of kangaroo calf, double soles to heel. These shoes make ideal shoes for the cold weather.

Sold everywhere for \$2.50, our price - - \$2.00

Saturday Only we will sell \$4 Men's Shoes for \$2.50—

Made of box calf, Goodyear welts, lace, good pump soles, best quality drill lining—styles are new.

They are our regular \$4.00 shoes—Saturday only..... \$2.50

Boys' and Youth's Shoes—made of box calf, good stout soles, foot form lasts..... Sizes 24 to 54, at..... \$1.90

Sizes 134 to 2, at..... \$1.75

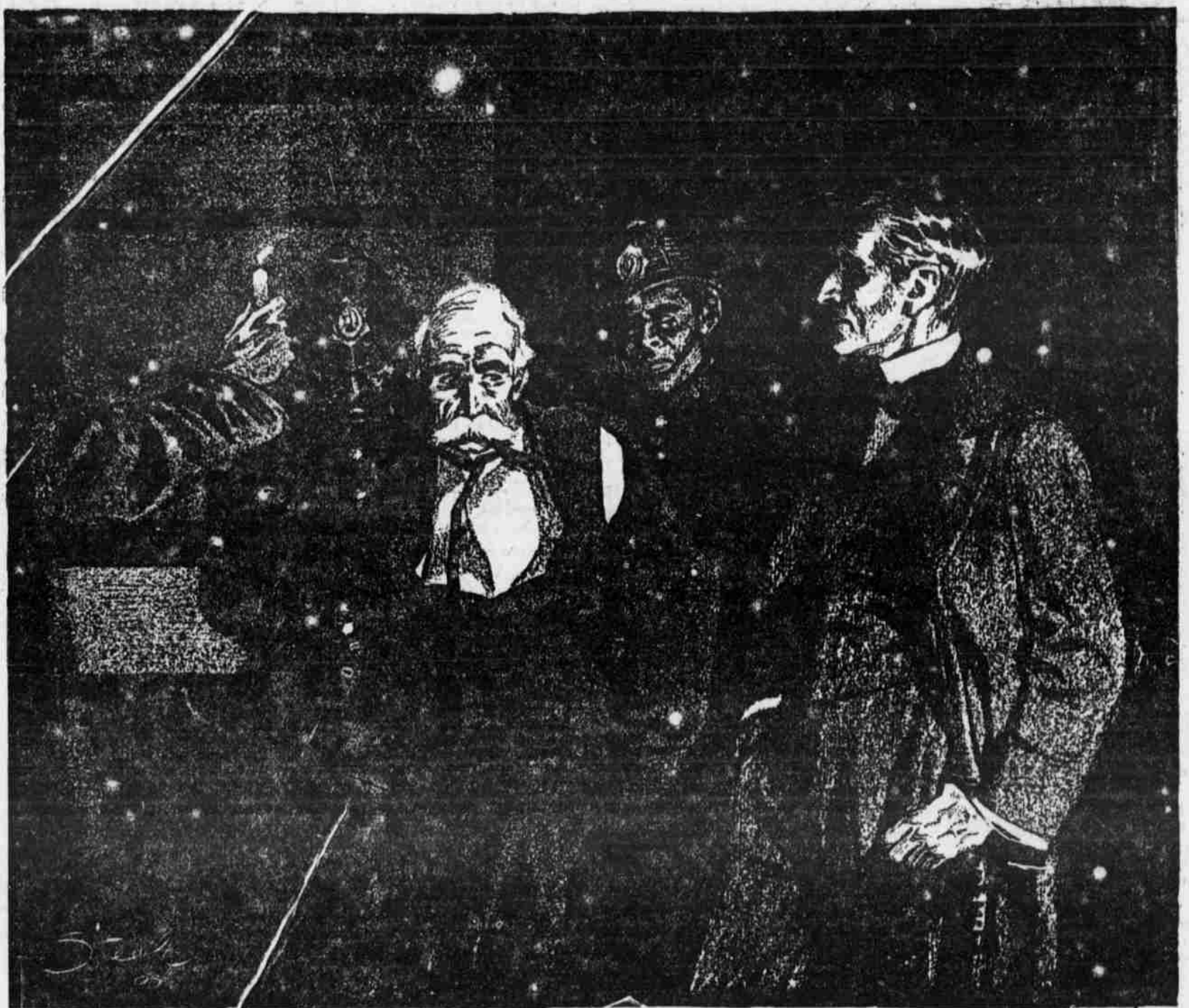
Men's New Spring Hats, \$2 and \$2.50 Values for \$1.00.

Saturday we will place on sale a line of new sample hats for men at \$1—They were a traveling man's samples, 700 hats in all—nice, new, clean hats—choice—Saturday..... \$1.00

Correct quality goods and lowest prices at A. B. Huberman's, Jeweler, 15th & Doug.

## THE RETURN OF SHERLOCK HOLMES

by A. CONAN DOYLE



"COLONEL MORAN SPRANG FORWARD WITH A CRY OF RAGE."

Back to life for a brand new set of adventures, Sherlock Holmes has come, and it may safely be said that these thirteen stories surpass anything that has yet been recorded of the great detective. The titles themselves breathe excitement and mystery. They are:

- The Adventure of the Empty House
- The Adventure of the Norwood Builder
- The Adventure of the Dancing Men
- The Adventure of the Solitary Cyclist
- The Adventure of the Priory School
- The Adventure of Black Peter
- The Adventure of Charles Augustus Milverton
- The Adventure of the Six Napoleons
- The Adventure of the Three Students
- The Adventure of the Golden Pince-Nez
- The Adventure of the Missing Three-Quarter
- The Adventure of the Abbey Grange
- The Adventure of the Second Stain

When Sir Arthur Conan Doyle created the character of SHERLOCK HOLMES he founded an absolutely unique type and reconstructed the entire theory and nature of detective stories. Heretofore such tales had belonged largely to "dime novel literature." Doyle made his famous detective a deductive genius, and the style and nature of his adventures set the reading world to talking. When the author ceased at last to write SHERLOCK HOLMES stories there arose a universal demand for more of these great detective narratives.

Sir Arthur Conan Doyle has written, by special arrangement, a new and final series of the ADVENTURES OF SHERLOCK HOLMES, for which he has received the highest price ever paid for such literary work.

These stories have achieved a great success—the greatest perhaps in the annals of so-called light literature.

This great success was, of course, due in part to the fact that the thirteen tales comprising the series are the last SHERLOCK HOLMES stories that will ever be written. Thousands of people have grown to regard Holmes almost as a personal friend, and they would not willingly miss reading a single one of his adventures, the more especially as the present SHERLOCK HOLMES stories will be followed by no others. "THE RETURN OF SHERLOCK HOLMES" is SHERLOCK HOLMES' farewell performance. At the conclusion of the series he will become but a memory. On this point Sir Arthur is firm—he will write no more SHERLOCK HOLMES stories, now or later.

By special arrangement THE SUNDAY BEE has secured the right to publish these stories. They will appear for the next three months—each week a complete adventure and mystery.

You cannot afford to miss a number—order of news dealer or by sending subscription direct to

The Bee Publishing Company, Omaha