

ANSWER TO WATER COMPANY

County, Through Slaughter and Fink, Files Response in Federal Court.

DENIES TERMS STATED OF LOCKE CONTRACT

Makes Complete Denial of the Allegations Set Up by the Company in Bill of Complaint.

County Attorney W. W. Slaughter Wednesday afternoon filed his answer to the United States circuit court to the amended bill of complaint of the Omaha Water company against the county of Douglas, Nebraska, Robert O. Fink, treasurer, and others.

The answer is quite long and states in effect that "defendants for further answer deny that in the year 1888 a contract was made between one Locke and the City of Omaha to build a water works plant on the terms alleged in the amended bill of the complaint, but admits that the said water works plant was built and deny that it was sold and transferred to the complainant; denies that the city of Omaha has instituted proceedings to appraise and condemn the property of the plaintiff, or that the franchise or other property of the complainant is taken without compensation, whatever; denies also that value of the franchise and that the right of the company to do business in the county of Douglas has no value and that the value such right at \$200,000 is fraudulent and without justification and specifically denies that no other property of the same class has been so valued and that such valuation of said property as aforesaid is a violation of the constitution of the state of Nebraska.

Denies Story of Politician

Denial also is made that "politicians and others interested adversely or otherwise to complainant or who hope to profit thereby, seek to injure and harass the company for purposes of depriving it of its business and plant. Denial also is made that a valuation of \$2,000,000 in 1888 was unjust or improperly placed thereon, but that whatever valuation was placed thereon was by the assessor in his official capacity; that such assessment was not made for taxing said water company and driving it out of business and compelling it to sell.

Denial also is made that the defendants appeared before the board of equalization and county commissioners urged an increase in the valuation of the water company's property from \$2,125,000 to \$4,000,000, or that such increase had been made in order to cater to public sentiment and the clamor of newspapers and agitators, or that such board and commissioners was impudently and requested by one F. Beecher Howell, and others in private audience, without any complaint being made or filed for such increase.

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For Teachers and Students

Many teachers and students are looking for pleasant employment during the summer months. They feel that it is necessary for them to have some practical business experience to properly balance their training and to keep them, so to speak, from being "rusty."

Announcements of the Theaters

Nothing in many seasons has been offered that is so attractive to those who love the theater as the combination of E. E. Booth and Julia Marlowe in "The Sign of the Cross." Marlowe, Booth and Shakespeare is certainly an attractive trio and supported by Frohman, it means art in its highest and best sense.

BEATS BOYS OUT OF MONEY

Culprit Who Follows Show is Caught at His Game and Impounded.

Frank Stoca, a culprit who follows the Gentry Bros' show, was arrested at the show grounds, Eighteenth and Douglas streets, Tuesday evening by Officers Shields and Edgill on a charge of obtaining money under false pretense. Stoca was soliciting 30 cents each from boys at the grounds, saying that he would get them into the show for that amount, which he failed to do.

TRUSSES

Elastic Stockings Batteries Supporters Rubber Goods Deformity Braces We have our own factory and give personal attention to FITTING TRUSSES For Men, Women and Children. H. J. Penfold Company 1408 Farnam St. OMAHA.

DEAD WITH GAS TURNED ON

J. F. Kuehar Found Lifeless in Room at Windsor Hotel by Clerk.

Land Fencers are on Trial

Action Against Indicted Cattlemen Begins with Krause Brothers' Case.

The hearing of the land fencing cases was begun in the United States district court Wednesday morning, with United States District Attorney Baxter and Special Assistant District Attorney Rush in charge of the prosecution and attorneys R. C. Noleman and C. C. Barber of Alliance as attorneys for the defendants. Krause and John, who are indicted for illegally fencing approximately 7,000 acres of public lands some twelve or more miles northeast of Alliance.

At the outset the attorneys for the defense presented a motion to quash the indictment against the Krause brothers as "informal, incomplete and unlawful." As to the main part of the indictments, Judge Munger, after deliberating for some hours, overruled the motion, but sustained it as far as it related to some minor counts. The court's action had no deterrent effect upon the proceedings. Mr. Noleman, who made the first argument on behalf of the motion to quash, attacked ten of the fourteen counts in the indictment, in that they did not specify that the pleading failed to show that the lands described are public lands of the United States. Another objection is that John and Harmon Krause are jointly charged with this alleged offense, that they should be severally charged with the offense and that each of them should have been apprised specifically of the offense for which they were indicted.

Legal Phases of Indictment

Mr. Barber, also counsel for the Krauses, discussed the legal phases of the indictment, especially in regard to the meaning of the word "entry" as applied to the taking of public lands, also as to the technical value of the statutory terms "lawful claim or color of title," and "asserted rights." He further held that illegal fencing could not be applied to unreserved public lands in this case, and that the government's right must be made by the United States as a special proposition in the indictment.

With Stopover Privileges

For meeting of National Educational Assn. on June 29-30, July 1-2. Agents of the Pennsylvania Lines at Chicago will sell round-trip tickets at rate of \$22.50 via Ft. Wayne route and \$21.50 via Pan Handle route. Good returning until July 2nd, and with privilege of extension to August 1st. Take advantage of this opportunity and spend your vacation on the seashore. For information relative to choice of four routes via the Pennsylvania Lines, call on or address: H. Thurg, T. P. 36 U. S. Bank Bldg., Omaha. Your home agent will be pleased to sell you ticket and check your baggage through.

Due to the Electric Shock

Coroner's Jury Files Cause of Death of John Zimmerman, Who Was Killed Tuesday.

The coroner's jury investigating the death of John Zimmerman, who was killed by an electric shock by coming in contact with a live wire at Eighteenth and Vinton streets Tuesday afternoon, returned a verdict that the young man came to his death as a result of an electric shock sustained while standing on the street corner waiting for a car; that the wire was the property of the Omaha Electric Light and Power company, and it was this that was the direct cause of the death of young Zimmerman.

DATE OF PURE FOOD SHOW

August 14-24 Decided on as Time for Holding Demonstration at the Auditorium.

HASSMAN PLEADS GUILTY

Confesses to Second Charge of Burglary, but Court Investigates Before Sentencing.

L. J. Hassman appeared before Judge Day Wednesday morning and entered a plea of guilty to the second charge of burglary, with which he is charged jointly with Guy Nestle. Hassman already has been convicted on one charge of burglary. Judge Day reserved sentence until he can more thoroughly inform himself of all the facts in the case.

COUNTY SHOW TO PORTLAND

Exhibit of Douglas County at St. Louis May Now Be Sent to Lewis and Clark Fair.

Building Permits

The city building department has issued permits to E. A. Wiggens for a \$2,500 frame two-story building at South Thirty-fifth street and to S. S. Steumgen for a \$1,500 frame dwelling at Thirty-fourth and Douglas.

Mortality Statistics

The following births have been reported to the Board of Health during the twenty-four hours ending at noon Wednesday: Mrs. E. Carney, 336 Webster, girl, Oscar Horn, 433 South Nineteenth, girl.

AT THE PLAY HOUSES

Ferris Stock Company at the Boyd.

OATS BELOW MARKET PRICE

Man and Five Boys Under Arrest for Loading Illinois Central Freight Car.

Samuel Krieselman of 136 Chicago street and five boys, all under 12 years of age, were arrested Wednesday evening on charges growing out of the stealing of about five bushels of oats from an Illinois Central freight car. George Hudson of 426 North Thirtieth street, Edward Norton of 125 Webster street, Joseph Brown of 42 North Eighteenth street, James Hicks of Fourteenth and Leavenworth streets and Edward Penn of Thirtieth and Webster streets are the boys and they were turned over to the police at the Boyd.

The boys told the police that Krieselman gave them sacks and promised to pay them 20 cents for each sack of oats they would bring him. The boys admit breaking into the car and taking the oats. There was about a bushel in each of the five sacks. Hudson is said by the Jackson boy to be the leader. Jackson's work was cut out for him by the other boys. He did most of the breaking of the seals and admits breaking more than he can remember. The Jackson boy identified Krieselman. According to the stories of the boys Krieselman was ready to buy anything they brought to him that was of value and that when they did not bring much he would give them suggestions and meet them and get the stolen goods. Krieselman said he had not seen any of the boys since they were taken from these boys and more arrests will be made today. Krieselman said he had been in Omaha for three years and that he came to this city from Russia. His name does not appear in the directory. Officer Dinneen of Illinois Central is co-operating with Detective Mitchell in getting at the inside operations of what they consider a regularly organized school of thieves.

FERRYMAN HOLDS HIS OWN

Switchman Injured in Yards in Critical Condition, but No Worse Than at First.

The last report from the various hospitals where the injuries of Tuesday afternoon's series of accidents were taken are favorable, except in the case of Frank F. Ferryman, the Union Pacific switchman who was injured by falling from a high trestle out in the rear end of the yards about 11 o'clock Tuesday morning. The condition of Mr. Ferryman remains unchanged. "He is no better nor no worse" was the report from St. Joseph's hospital. It is thought there may be a bare possibility for his recovery, but conditions are extremely discouraging.

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Women's WAIST VALUES that are UNEQUALED

Yesterday afternoon the Ferris stock company changed its bill at the Boyd, putting on the first farce comedy of the season. "Turned Up" is an English creation that has been somewhat Americanized, and is compounded of a number of very laughable situations. It gives the several members of the company great scope for their antics as funmakers and was well received by the large audiences that assembled at the theater yesterday afternoon and last night. It will be repeated this evening for the last time.

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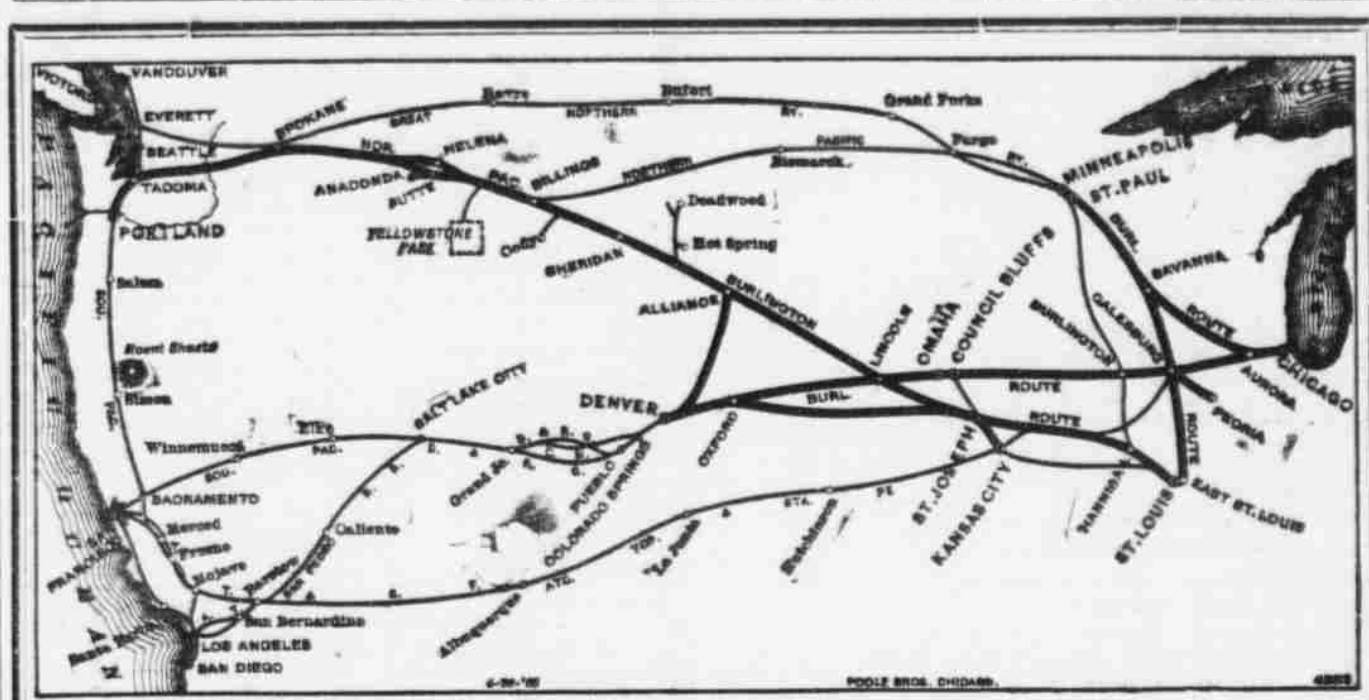
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Advertisement for Nebraska Clothing Co. featuring 'New Dainty Summer Waists' and 'Four great Specials Thursday'. Includes images of women in waists and a list of items with prices: Women's White Lawn Waists (95c), Women's Stylish Linen Waists (1.90), Women's Well Embroidered Linen Waists (2.90), and Women's Mankind Golf Shirts (1.45).



Advertisement for Burlington Route titled 'An Ideal Trip'. Describes a scenic route from Denver to Portland and back via California and the Sierras. Includes contact information for J. B. Reynolds, C. P. and T. A., 1502 Farnam Street, Omaha.

Advertisement for Public Library Matters. Lists board members: P. L. Perrine, Elected Vice President of Board to Succeed Victor Rosewater. Mentions a meeting on June 1st.

Advertisement for Milton Rogers and Sons Co. featuring 'Substantial Price Reductions' on refrigerators and lawn mowers. Lists models like Badger Refrigerator (5.95) and Peerless Refrigerator (15.85).

Advertisement for a Prisoner Confesses to Minor Charge. States that Bruce Rehrison confessed to a charge of assault and battery rather than go to trial on a charge of stabbing with intent to kill.

Advertisement for Baby Mine. A medicine for infants, claiming to be a mother's friend. Includes a testimonial from a mother who used it for her child's ailments.

Advertisement for Teachers and Students. Promotes 'Mother's Friend' as a remedy for various ailments. Includes a testimonial from a woman who used it for her child's ailments.