

Statement by the Omaha Water Company

OMAHA, July 27, 1908.

TO THE CITIZENS OF OMAHA:—

AS the season of the year is here when the largest drafts are made upon the water works, it seems only right to warn the citizens of Omaha that the time is sure to come, when, with increased demands upon the system, and no corresponding improvements to the property, serious trouble may arise. This is patent to anyone who is familiar with a public service plant. Just when the day of danger will arrive no one can tell. It may be in one month, or it may not be for a year or more.

In 1903 the City of Omaha elected to purchase the system of water works operated by the Omaha Water Company, and in 1906 the appraisal instituted by the city for the purpose of determining the price was concluded. As the citizens of Omaha are aware, the city has refused to complete the purchase, and the company has brought a suit for specific performance. A review by the Supreme Court of the United States of the decision of the Federal Circuit Court of Appeals establishing the validity of the appraisal and adjudging that the city must take and pay for the works, will not take place for some time. The United States Circuit Court has held that the company could not lawfully be required to make substantial additions to the plant after the election by the city to purchase and while proceedings for its consummation were under way, but that the duty of the company in such case is merely to preserve the integrity of the works and efficiently operate them as they stood when the election was made. This duty the company intends fully to perform, and up to this time has more than performed, having in the last half of 1904 and until the 20th of December of that year, when frost put an end to operations, laid four miles of extensions, erected no less than forty-nine additional hydrants, installed five new boilers, and completed the erection of a new twenty million gallon pump.

By reason of the refusal of the city to pay the hydrant rental due for that very period (six months ending December 31, 1904) and its

continued refusal to pay subsequent hydrant rentals the company has been compelled to seek the aid of the courts for the compensation due for the water supplied for fire protection and other public uses during that and all subsequent periods. The water board by thus withholding rentals now amounting, with interest, to about \$425,000, has deliberately deprived the company of the means of enlarging and improving the plant, even to the extent to which the company would willingly go beyond the limit of its legal obligations. The grounds upon which these rentals have been withheld have been declared by the Federal courts to be wholly unjustifiable, and in the hydrant rental cases already tried, judgments have been entered against the city for about \$116,000.

The company has more than once during the pending litigation written to the water board relative to the improvement of the system, but no answer, nor any acknowledgement even, has been received in response to its communications. From this experience, the company feels impelled to address the citizens of Omaha directly upon the subject of this statement.

It is because the Omaha Water Company has an exceptionally fine plant—a plant which an expert engineer, called as a witness on behalf of the city, has testified to be one of the best that there is in the country—that so little trouble has arisen and so little inconvenience to the citizens has been occasioned. Yet as the company is threatened with years more of litigation, and as each year increases the demand on the plant, so that the time must come when the citizens will be greatly inconvenienced, and when dangers more serious than inconvenience may arise, the citizens generally are urged by the company to refrain from waste and unnecessary use of water and to bear constantly in mind their own responsibility as well as the responsibility of the official representatives of the city, for the perils of a situation which has been created solely by the action of the city of Omaha.

THE OMAHA WATER COMPANY,

By Theodore C. Woodbury, President.

LACK LEGISLATIVE FILINGS

Number of Districts in Nebraska Where Papers Are Missing.

SECOND PROTEST ON POPULISTS

Objection Made to Swanson of Fifth District and Gering of First—Railroads' Figures Challenged.

(From a Staff Correspondent.)

Lincoln, Neb., July 29.—(Special.)—Though Saturday is the last day candidates can file for offices, under the primary law, there are several vacancies. The republicans have yet to file for an elector at large and one from the first district. The democrats have made no filing from the second district.

In four senatorial districts the republicans have no candidates, and in fourteen senatorial districts the democrats are shy. The republicans are short in six representative districts and the democrats shy in sixteen representative districts.

The missing districts are as follows: Senatorial districts: Republican, 12, 13, 20, 21; democratic and people's independent, 1, 2, 7, 10, 11, 12, 13, 15, 17, 19, 22, 23, 26, 27.

Representative districts: Republican (missing), 16, 17, 19, 20, 25, 26; democratic and populist, 8, 9, 10, 11, 17, 20, 22, 23, 24, 26, 28, 29, 30, 31.

The following filings have been made by the republican, democratic and populist parties:

PRESIDENTIAL ELECTORS

Republican—Joseph J. Linger, Wilber, at large; Charles L. Hoover, South Omaha; and Nathan Bernstein, Omaha. Second district: Joseph P. Eaton, North Omaha. Third district: George F. Harburt, Union. Fourth district: C. A. Lucas, Republican City. Fifth district: W. L. Minor, Morrill and Edward S. Davis, North Platte. Sixth district: Democrat and People's Independent—Michael P. Harrington, O'Neill and Henry R. Gertling, Plattsmouth, at large; R. E. a Wake, Humboldt, first district; Douglas B. Lewis, third district; O. E. Weber, Valparaiso, fourth district; Frank

T. Swanson, Clay Center, fifth district; A. D. Cameron, sixth district.

GOVERNOR

Republican—George L. Sheldon, Nebraska. Democrat and People's Independent—Ashton C. Shallenberger, Alma; George W. Berg, Lincoln.

LEGISLATIVE GOVERNOR

Democrat—James C. Dahlgren, Omaha. Republican—M. R. Hopewell, Tekamah. Democrat and People's Independent—M. O. Garrison, Fremont.

SECRETARY OF STATE

Democrat—George C. Junkin, Smith. Democrat and People's Independent—John Mattes, Jr., Nebraska City; Dr. A. T. Gleason, Atchison.

AUDITOR

Republican—H. L. Cook, St. Paul; John L. Pierce, Lincoln; Robert A. Hayes, College View; George Anthes, Omaha; Elias A. Barton, Grand Island.

COMMISSIONER OF LANDS

Democrat and People's Independent—William D. Price, Lincoln. Democrat—Edwin H. Lukhart, Tilden.

TREASURER

Republican—Lawson G. Brian, Albion. Democrat and People's Independent—Clarence Mackey, Ansley.

STATE SUPERINTENDENT

Democrat—George W. Brown, Jr., Auburn; James E. Deisel, Lexington; S. Martin, St. Paul.

COMMISSIONER OF EDUCATION

Democrat—William T. Thompson, Central City. Democrat and People's Independent—Menno Warren Terry, Beatrice; E. D. Quackenbush, Auburn.

RAILWAY COMMISSIONER

Republican—J. M. Shively, Fremont; William Huseniter, Lincoln. Democrat and People's Independent—W. B. Eastham, Broken Bow.

COMMISSIONER OF PUBLIC LANDS

Republican—S. M. Wallis, Clay Center. J. A. Williams, Pierce; J. A. Van Wageningen, York. Democrat and People's Independent—William H. Cowell, Holdrege.

MAJORS FILES FOR SENATOR

Colonel Tom Majors of Peru, whom John W. Kern resembles, called at the state house today and completed his filing for senator for his district.

"When I read in the Bee that John Kern looked like me," said Colonel Majors, "I knew someone was trying to do Kern a favor. It satisfied me that he would get the nomination. At the election I suspect he will get it."

On his own personal popularity or his resemblance to Kern, Colonel Majors has received the endorsement of the Bryan club of the Peru Normal school along with Colonel Bryan. About twenty members of the club marched to the home of Colonel Majors and notified him of the endorsement in a twenty-minute speech. Mr. Majors assured the members of the club that he was pleased with the endorsement, and for fear they had made a mistake he assured them he was a republican, even if he and John Kern do look alike. So far no one has filed at the state house in opposition to Colonel Majors.

DEMOCRATS SCARE IN WEST

W. V. Hoagland of North Platte was a visitor at republican state headquarters today. He brought the information that Bryan sentiment in his part of the state was mighty scarce. While in Omaha yesterday Mr. Hoagland settled the long drawn dispute between the Union Pacific and John Frasier, an ice manufacturer. The railroad sought to build stock yards at North Platte and Mr. Frasier filed a petition for an injunction in the district

court. Yesterday the railroad company bought the ice plant and the case was dismissed. The railroad paid the cost of the suit.

RAILROAD FIGURES INACCURATE

Members of the State Board of Equalization say the attitude of the railroads in the matter of the assessment of lands in the state is not consistent. The railroad agents insisted that the returns of the assessors should be accepted in most cases. Now they are protesting the assessment of other lands made by the same assessors. The board cannot figure why the work of the assessors should be impeached in the one instance when it was not impeached in the other.

In the list of land sales filed by the Burlington were several sales from Harlan county, which have been challenged. A resident of Harlan county informed the board that he had looked up several of the sales and found the railroad figures inaccurate.

CYRUS WHITE RETURNS

Cyrus White, superintendent of the school for the deaf at Omaha, was in Lincoln today on his road home from Ogden, where he has been in attendance upon the national convention of the teachers of the deaf.

"We had a delightful meeting," said Mr. White, "and the people of Ogden showed us every attention. We were taken for a day to Salt Lake City and given a concert in the tabernacle. To me this building is wonderful. We stood off 300 feet in the building and our seats distinctly. We were could hear it fall distinctly. We were shown all the points of interest in the city."

The national meetings are held once every three years and the last one was held in South Carolina. Mr. White said everything at the Omaha school was in good shape. The extension of the street car line to the school has been of great benefit, he said.

CHANGE IN FREIGHT TARIFFS

The United Pacific railroad has been granted permission to change its stone and commodity tariffs to conform to the national and state laws. In most instances the change makes a reduction in the present rate. The change was made, however, so the road would not be out of joint with other roads and with existing laws.

Lincoln Bakeries Unhealthy. Mrs. McMurphy, a food inspector, has reported that the bakeries of Lincoln are so filthy that their output is very questionable. Four bakeries, she said, were in good condition, but the others were filthy. Cats and flies crawled around the sugar, flour and bread, she said. The report was made after an investigation of the various bakeries.

SECOND PROTEST ON POPS

Supplementary to the protest filed several days ago against allowing populist candidates for presidential electors to go on the primary ticket either as independent candidates or in fusion with democrats, Victor Rosewater today filed a second protest against Frank Swanson of the Fifth district and Henry Gering of the First district, both candidates for elector. The basis of the protest is the same as that of the previous one, that the bolt of the Nebraska populists at the national convention prevents their masquerading under the party name. They had not filed when the first protest was made.

Elias A. Barton of Grand Island has filed for a place on the republican ballot as candidate for state auditor. Fred H. Abbott of Aurora has filed a second petition as candidate for railway commissioner. A petition from Aurora accompanied by a receipt for \$5, the filing fee, was received by the secretary of state today. Mr. Abbott filed a petition from Platte county

some time ago, but failed to file his oath of acceptance within the time limit, making the second filing necessary.

SIBLEY COMES OUT FOR CONGRESS

Announces His Intention to Contest with Kinkaid.

NORTH PLATTE, Neb., July 29.—(Special.)—State Senator C. A. Sibley today announced his candidacy for member of congress from the sixth district on the republican ticket. Mr. Sibley has made a canvass of the different counties within the district and feels that his chances are good. He is standing upon his record in the last session of the state legislature. He announces that he is a farmer and stock grower and states that since there are but thirteen members of his occupation in the lower house he feels that it would be advantageous that he should represent this congressional district in that body.

CHAUNTAQUA AT CAMBRIDGE

CAMBRIDGE, Neb., July 29.—(Special.)—The second annual session of the Cambridge chautauque will open next Monday, August 3. The Hungarian orchestra will open the program with a musical treat, after which Senator Jonathan P. Dolliver will deliver the initial lecture of the season. All indications point to a much larger attendance this year than last, which was a fine. A large number have already engaged tents and will camp on the grounds. The program for this assembly is said to be one of the best in the state and contains a rare treat every day from the opening to the closing, August 13. Cambridge is fortunate in having a splendid natural park. The chautauque is under the management of Hon. C. M. Brown, R. H. Rankin, W. C. Honnold and Dr. D. A. Leeper of this city, and under the direction and management of such able men success is assured.

JONES WILL RUN FOR CONGRESS

STROMBERG, Neb., July 29.—(Special.)—The political lineup has taken some peculiar turns in Polk county during the last few days. Ex-Representative Warren B. Jones has filed for the nomination for congress in the fourth district.

J. E. Buckley will enter the race again for representative for Polk county on the republican ticket and Victor Wilson on the fusion ticket.

F. E. Stanton has filed for county attorney on the fusion ticket, and Mr. Johnston of Osceola, the present county attorney, will endeavor to be re-elected.

E. L. King of Osceola has filed for senator, and has opposition in the person of J. H. Kemp of Fullerton.

CHILD FATALLY HURT

BEATRICE, Neb., July 29.—(Special Telegram.)—John, the 2-year-old son of William McMillen, living near Pickrell, was probably fatally hurt today by being run over by a wagon load of hay. Mr. McMillen was returning home when his little son ran out to meet him. The lad fell under the hind wheel of the wagon, which passed over his abdomen.

Preparing Fullerton Chautauque. PULLERTON, Neb., July 29.—(Special.)—Yesterday the office of H. M. Kellogg, secretary of the Fullerton chautauque assembly, was opened for the registration of choices for tent sites for the ten days session, which opens August 7. The sites are being rapidly taken. The opening concert will be given by Carter's Virginia Warblers.

HILL IN CHERRY COUNTY

VALENTINE, Neb., July 29.—(Special.)—Two sharp electrical storms, following sultry, oppressive days, fell upon this section Saturday and Sunday evenings, with damaging results. Saturday hail stones the

size of walnuts fell for nearly an hour on the north table, the farming district of Cherry county. A path two miles wide was cut by the hail and small grain was nearly ruined. Prospects for a bumper crop were in sight. Corn was stripped, leaving only the stubby stalks and much of it was beaten into the ground. Sunday night the storm was repeated in another section, but not so bad except that the wind was worse.

NEW CANDIDATES IN GAGE

BEATRICE, Neb., July 29.—(Special Telegram.)—Three new candidates filed today. J. M. Howe of Barneston, for representative on the republican ticket; R. W. Sabins of Beatrice, for county attorney, and P. J. Kemp of West Beatrice, socialist, for state senator.

NEBRASKA NEWS NOTES

BEATRICE—The Presbyterian ball team of this city was defeated at Liberty yesterday by the score of 6 to 4.

BEATRICE—James E. Sadder and Miss Leola Sharpe, both of Liberty, were married here yesterday afternoon. Mr. Sadder is a farmer and stock grower.

BEATRICE—The Barneston assessor's case was tried before Judge Pemberton in the district court today. The court took the case under advisement until Saturday.

YORK—John Sheen, a well known farmer and one of the oldest residents in York county, in a signed article announces his candidacy for representative on the republican ticket.

BEATRICE—Word was received here yesterday stating that John Kerr, the night clerk at the Paddock hotel who attempted suicide here several months ago, died recently at Clay Center, Kan.

BEATRICE—A farmer living near Pickrell, whose name was not learned, sold 2,000 bushels of wheat at Pickrell yesterday, the highest price for sixty years. He received 83 cents per bushel. This is the largest price yet reported.

YORK—A leading republican, who has been making an active canvass for members of a Taft republican club, claims that he has not been able to find a voter who has been recognized in his going to vote for party workers, who is going to vote for party workers.

VALENTINE—Deputy Game Warden William Franke was out scouting Sunday afternoon and caught three men from Cody, south of that little burg, killing chickens. As the time is not yet ripe for that sport, Franke brought the men and the birds to town and both are in safekeeping.

BEATRICE—Mrs. Mary Hartman, for thirty-five years a resident of Gage county, died suddenly yesterday at the home of her daughter, Mrs. S. F. Andrews, six miles east of Beatrice, of appendicitis, aged 82 years. She is survived by two daughters, Mrs. S. F. Andrews and Mrs. Ailie Andrews.

BEATRICE—The tender on the west-bound Rock Island passenger train jumped the track ten miles west of Lewistown, Monday evening, causing the train to be delayed eight hours. The train was running slow when the accident happened, otherwise a disastrous wreck would have certainly resulted.

BEATRICE—The city council last night killed the billboard ordinance by a vote of 2 to 2. Residents of West Beatrice, who have worked hard the last few months to secure a park for that part of the city, filed this morning with the city council in appropriating \$1,700 for that purpose. The estimate of expenses for the coming year, as adopted, amounts to \$2,000.

VALENTINE—Dave George, who drives the Rakebus stage, had a bad runaway yesterday, which resulted in a painful fracture of the right leg. Joseph Hobson, a farmer on the north table, sustained a painful injury this morning by a horse kicking him in the face. His nose was shattered and his face bruised and cut. He was brought to Valentine and his wounds dressed.

BEATRICE—The democrats held a meeting at the court house yesterday and talked over matters pertaining to the campaign. The name of T. E. Stewart was suggested for state senator, and the following names were mentioned for representatives: J. B. Coffman of Adams, L. C. Caley of Filley, Dr. H. A. Given of Wynora, A. R. Patton of Blue Springs, Frank Layton of Odell and George Wilkinson of Beatrice. For state senator, Jacob Klein is the only candidate who has filed.

SILVER CREEK—Frank Holden, a prominent farmer of this section, who has been running for a thirteenth day himself and

neighbors, met with a serious accident in which he sustained a double fracture of his collarbone. His neighbors have turned in their grain, while Frank looks on, gnashing his teeth and cursing his luck and thanking his neighbors.

WYMORE—C. B. Woolsey, the druggist, shipped his drug store to Reynolds the first of the week, and will open for business there next Saturday. There are several applicants for the room vacated by him, but none has as yet rented it.

WYMORE—Hubert Loy, who was operated on for appendicitis Sunday, was unable to revive and died yesterday morning at his home, three miles north of this city. He was aged 29 years, and leaves a wife and baby boy. The funeral will be held tomorrow.

WYMORE—A crusade is being made by citizens to have weeds cut from vacant lots and in allies about the city. There is an ordinance providing a fine for failure to cut weeds, but this has never been enforced. There is also an effort being made to have trees overhanging sidewalks trimmed so that pedestrians need not lose hats and tear umbrellas.

BRUSH CO. Kemper, Hemphill & Buckingham. Anything of metal made "Good as New" Owners, Omaha Silver Co., 214 So. 12th St.

NEBRASKA FROM DAY TO DAY

Quaint and Curious Features of Life in a Rapidly Growing State.

Just because a man wears white pants about his farm work is no sign that his milk is always pure. Handsome is that handsome does.—Callaway Tribune.

Sour Grapes—The editor of the Crawford Courier claims to have been presented with a basket of gooseberries as big as hickory nuts. When the editor goes out and "takes another," he may think they are lemons.—Alliance Times.

Reward of Newspaper Man—The Sun is twenty-four years old. This rare editor has been editing and publishing republican newspapers high on to forty years. His reward is a clear conscience, a good digestion and several other good things—we're richer than Rockefeller.—Clay Center Sun.

Look Out Boys—One of Gordon's young men, after procuring a license and making other necessary arrangements, drove into the country Monday, with a very smiling countenance. That evening he was seen returning with a very woe-begone look on his face. After a little questioning it was discovered that the young woman had, unbeknown to him, changed her mind. No wonder that woeful expression. Boys, take warning, this is leap year; let the girls do the preparing.—Gordon Journal.

The Joke on Link—H. M. Link, cashier of the Exeter State bank, was the victim of a joke at the hands of John Dizeen of

Liberty, which is furnishing his friends considerable amusement. Mr. Link is about as tall as they make 'em—something like six feet four inches or thereabouts. He told Mr. Dizeen Saturday that there wasn't a hill of corn in Plimore county as tall as himself. Mr. Dizeen brought one in from his farm which measured eleven feet and two inches. Link is trying to crawfish by saying the corn grew four feet between Saturday and Tuesday, but the general verdict is against him. The corn is on an exhibition in front of the Enterprise building.—Exeter Enterprise.

Fremont's Frontier Day. FREMONT, Neb., July 29.—(Special.)—Fremont is to have a Frontier day series of sports on Friday and Saturday afternoons, July 31 and August 1. They will be held at the base ball park. E. P. Pearson, Idaho Bill, is in charge. Roping contests, broncho busting races, etc., make up the program. Idaho Bill has about sixty bronchos of various degrees of meanness already on the grounds and a number of riders from Wyoming and Colorado and South Dakota arrived here today to take part. The base ball association will share in the net receipts and it is confidently believed that there will be crowds out both afternoons.

Heat Excessive at Fremont. FREMONT, Neb., July 29.—(Special.)—The mercury reached 97 this afternoon, the hottest of the season so far. The top of the ground is baked hard and a little rain would help things out. Reports on the condition of the corn crop are contradictory. On the bluffs it is looking good, though there are many low places where corn was drowned out.

Conductor Fined at Silver Creek. SILVER CREEK, Neb., July 29.—(Special.)—Conductor Flanagan, train No. 61, who was arrested here yesterday by Marshal Cotton, assisted by A. F. Roth, who dragged him off the top of a box car while the train was moving. He cheerfully paid his fine to Justice Howland, pleading guilty to obstructing the streets with a freight train for more than twenty minutes.

Timely Advice. Never leave home on a journey at this season of the year without a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy. It is good advice for young and old. No one can tell when it may be required. It cannot be obtained on board the cars or steamships. Buy it before leaving home. For sale by all druggists.

Moyer Re-Elected by Miners. DENVER, July 29.—Charles H. Moyer was re-elected president of the Western Federation of Miners by the convention in this city today. Moyer received 223 votes and T. C. Flynn of Butte, Mont., 88.

The General Demand

of the Well-Informed of the World has always been for a simple, pleasant and efficient liquid laxative of known value; a laxative which physicians could sanction for family use because its component parts are known to them to be wholesome and truly beneficial in effect, acceptable to the system and gentle, yet prompt, in action.

In supplying that demand with its excellent combination of Syrup of Figs and Elixir of Senna, the California Fig Syrup Co. proceeds along ethical lines and relies on the merits of the laxative for its remarkable success.

That is one of many reasons why Syrup of Figs and Elixir of Senna is given the preference by the Well-Informed. To get its beneficial effects always buy the genuine—manufactured by the California Fig Syrup Co., only, and for sale by all leading druggists. Price fifty cents per bottle.

Is to love children, and no home can be happy without them, yet the ordeal through which the expectant mother must pass usually is so full of suffering and dread that she looks forward to the hour with apprehension. Mother's Friend, by its penetrating and soothing properties, allays nausea, nervousness, unpleasant feelings, and so prepares the system for the ordeal that she passes through the event with but little suffering, as numbers have testified and said, "It is worth its weight in gold." Book containing valuable information mailed free.

WOMAN'S NATURE

MOTHER'S FRIEND

THE BRADFIELD REGULATOR CO. Agents, Ga.