

**TAXES MUCH HIGHER**

Seventeen Mills Above What They Were Last Year.

**MOST OF EXTRA TO WATER BOARD**

Rate of Levy Will Be 74.6 Mills as Figured on the Last Levy— Amounts and Funds and Their Limits.

City taxes will be over 17 mills higher this year than last. About 13.5 mills must be added to raise the \$350,000 for the water board and about 3.8 mills must be added to raise the extra \$100,000 for the general fund.

The last levy for city purposes was 57.3 mills. The next levy will be about 74.6 mills. This is figured on the last levy. The new levy will make some change, but, as the city comptroller expresses it, "not sufficient to be worth while."

For several years no levy has been made for the water board, but this year a levy to raise \$250,000 will be made. The city general fund has been increased by \$100,000, and while the Board of Education has not figured out its probable expenses for next year, it is thought that they will naturally be higher. One thing that will tend to make the levy for school purposes higher is the fact that under the 8 o'clock closing law there will not be as many saloon licenses taken out last year as the board in making its levy figured on receiving from saloon licensees the sum of \$240,000. The total levy for school purposes last year from tax collections amounted to \$854,600.

The last levy was 33.5 mills for general purposes. This will be raised to about 57.3 mills. The last levy for sinking fund purposes was 5.4 mills and this will remain the same. The last levy for school purposes was 14 mills and this will probably be raised. There was no levy for the water board and this will be about 13.5 mills.

**State Law Gives Power.** The state law gives the water board power to levy for funds not in excess of \$50,000, making it mandatory on the mayor and city council to make the levy. This law, the water board act of 1905, says: "Such fund and interest thereon shall be used for paying for water and hydrant rentals."

John L. Webster, attorney for the water board, says he does not know what the \$50,000 "for fund for 1910" is to be for and referred his question to a member of the board, Dr. A. H. Hipple, member of that body, says it was to pay expenses and hydrant rentals in the future. The doctor says the board has enough money on hand to pay court costs and lawyers' fees and that this additional \$50,000 would not have to be used for these purposes.

The board has already confessed judgments in the sum of \$25,000. The council authorized a levy of \$250,000 for hydrant rental judgments, which will give the board only an extra \$15,000 to pay other hydrant bills. Mayor Dahlman intimated that he may veto the water board levy, though he says he could not decide just what he would do until he had ascertained just what the money was for. The executive said he would not veto the regular levies, as the \$1,200,000 certified for the general and sinking funds is needed.

**Amounts As Certified.**

The amounts certified by the city council to the county clerk for requirements for 1909 and 1910 are as follows:

|                  | 1909         | 1910         | over       |
|------------------|--------------|--------------|------------|
| General purposes | \$ 800,000   | \$ 1,000,000 | \$ 200,000 |
| Sinking fund     | 250,000      | 250,000      | —          |
| Water fund       | 250,000      | 250,000      | —          |
| Totals           | \$ 1,300,000 | \$ 1,500,000 | \$ 200,000 |

The limitation of distribution of amounts for 1909 and 1910 required for general purposes and for the sinking fund, according to a statement furnished by the city comptroller, is as follows:

|   | 1909         | 1910         |
|---|--------------|--------------|
| Fire fund                               | \$ 100,000   | \$ 100,000   |
| Police                                  | 150,000      | 150,000      |
| Lighting                                | 70,000       | 70,000       |
| Library                                 | 25,000       | 30,000       |
| Park                                    | 50,000       | 60,000       |
| Cleaning                                | 50,000       | 60,000       |
| Public Wks. Dept.                       | 150,000      | 150,000      |
| General                                 | 215,000      | 250,000      |
| St. repair, grading                     | —            | 25,000       |
| Carb. gutter and paving (asphalt plant) | —            | 50,000       |
| For gen'l purpose                       | 800,000      | 1,000,000    |
| Sinking fund                            | 250,000      | 250,000      |
| Total                                   | \$ 1,150,000 | \$ 1,250,000 |

Bigger, Better, Buser—That's what advertising in The Bee does for your business.

**"Dad" Weaver**

Given Send-off by His Friends

**Guest at Ad Club Banquet and Recipient of Gold Watch as Token.**

"Dad" Weaver has been a pretty expensive luxury for some of us, but he has done his work in such a slick way that we have rather liked it," said C. C. Beiden at a banquet 150 leading Omaha business men gave to J. D. Weaver, advertising solicitor for The Bee on the eve of his departure for Kansas City, where he becomes advertising manager of the Kansas City Post. The banquet was given under the auspices of the Omaha Ad club Wednesday noon at the Paxton.

Words of regret were spoken by representatives of nearly every leading line of business in Omaha, and at the close Robert Manley, representing the Omaha Ad Men's club, presented Mr. Weaver with a beautiful and expensive gold watch.

"Not to be outdone by my friend Manley, I want to give Mr. Weaver a return ticket from Kansas City to Omaha, so he may come back any time he chooses," said Victor White.

Colonel William Kennedy was toastmaster. "A feast is usually looked upon as an occasion for rejoicing," said C. C. Rosewater, general manager of The Bee, "but this is more like a funeral in that we all hope the man has gone to a better place. Seventeen years with one institution is a good compliment for any man to have paid him. We have all come to recognize the wonderful and rare makeup of Weaver. Were I to express my thought, I might wish he would not succeed in Kansas City so he might return to Omaha, but I wish him every possible good luck and success."

Other speakers were Harry Doorfer, manager of the World-Herald, Ernest James of The Bee, E. A. Higgins of the Stora Brewing company, F. W. Judson, president of the Commercial club, Carl Herring, grand multi for Ak-Sar-Ren and Major R. S. Wilcox, manager for Browning, King & Co.

The event was a splendid tribute to the popularity of Mr. Weaver. Every speaker had the ring of sincere friendship in his voice and Mr. Weaver was showered with words of cordiality by others who did not speak at the banquet table.

**BOY LAYS THE FIRST BRICK**

Ervin Brandeis Makes Start on New Theater Accredited by the Union.

Properly certified as a member of the Bricklayers union, No. 1 of Nebraska, Ervin Brandeis, the 13-year-old son of Arthur Brandeis, laid the first brick for the new theater and annex building at Seventeenth and Douglas streets.

Previous to the ceremony a work card and a letter of congratulation had been sent the boy by George Routh, secretary of the union. The letter expresses the hope that "you will prove yourself a good and worthy mechanic."

The boy, who is the only male Brandeis of the third generation, responded briefly and thanked the organization for the courtesy extended him and said that he hoped at all time to prove worthy of the honor conferred upon him.

It was a special source of satisfaction to him to receive the distinction, because he has always been fond of study of manual training and both in Omaha and New York schools he has taken the highest honors in this work.

**NATIONAL GUARD AT CAMP**

State Militia Will bivouac at Ashland Last Eleven Days of the Month.

The annual encampment of the Nebraska National Guards will be held at Ashland, July 20 to 31, inclusive. The movement of the several companies by rail to Ashland will begin on July 18. The Fremont Signal Corps, Lincoln Hospital Corps, the Stanton and Norfolk companies will be the first to arrive at the camp. The McCook, Kearney, Holdrege, Hastings, Alma, St. Paul, Aurora, York, Geneva, Wymore, Beatrice, Wilbur, Crete, three Omaha companies, Lincoln, Nebraska City, Schuyler, Albion, Madison, Rushville and Bloomfield companies will arrive at Ashland July 20. Arrangements have been made with the Burlington railroad company to have trains 18 and 17 stop daily at the camp during the encampment.

**JOSLYN LOSES FIRST ROUND**

Must Disprove Charges of Fraud Regarding Possession of Home.

**HIS DEMURRER IS THROWN OUT**

Original Owners of This Magnificent Estate Win First Fall in Contest to Recover the Property.

Judge Troup has overruled the demurrer in the case of Clinton Jay Sutphen against George A. Joslyn, by which Joslyn's attorney was trying to get the case out of court and Joslyn will have to disprove charges of fraud and collusion to hold possession of his magnificent home at Thirty-ninth and Davenport, the finest house and grounds in Omaha.

Clinton Jay Sutphen, his sister, Mrs. Earl Kiplinger, and his younger brother, Earl Sutphen, brought suit against Joslyn, claiming the property because of the will of their grandmother, Mrs. Emily M. Sutphen, who left the property to their father and grandfather in trust for them.

General John C. Cowan, attorney for Joslyn, filed a demurrer in which he cited the rule of law known as "Shelley's case," by which the courts have held that property in trust under certain conditions may be sold and Joslyn alleged that he had bought the property in 1888.

By Judge Troup's decision, however, "Shelley's case," which has tangled so many wills, does not apply in the state of Nebraska, and DeWitt C. Sutphen and Charles D. Sutphen, husband and son of Mrs. Sutphen, had no right to sell the property. Following this ruling the charges of fraud and collusion in disposing of the property before they were of age, made against their father, grandfather and George A. Joslyn, by the younger generation of Sutphen's will have to be disproved.

**Will Fix Big Point.**

The ruling of Judge Troup, if sustained by the supreme court, will fix a very important principle of law in Nebraska. In this Joslyn case the property was willed to the testator's husband and son "and their heirs," which indicates, very clearly, according to the court, that she expected them to turn it over to the children at death without in any way disposing of it in the meantime. "Shelley's law," however, states that in such cases it is necessary for the testator to name the secondary heirs, or otherwise designate them exactly, or her obvious intention of having them finally get the property will be overruled by the court and willing a thing to "a man and his heirs" would mean simply willing it to a man entirely, without restriction.

By "Shelley's case" the intention of the testator is overruled because of a very slight difference in wording in the will. Judge Troup declares that the law has done enough mischief in this state already and should not be recognized. It was never formally adopted as a part of the statutes and in twenty-seven states of the union it has been held to be inconsistent with the constitution. So when General Cowan cited it as a justification of the sale of the property in 1888 to Mr. Joslyn, although the secondary heirs were children, the court ruled that it was not a part of the law of Nebraska.

The property, which was originally only valuable farm land, has in the meantime become one of the most valuable estates in the west, and this decision is a first step toward taking it away from Joslyn and giving it back to the Sutphen's, who, under their grandmother's will, were bequeathed it.

The petitions of the Sutphen's will now be heard to establish whether or not the will was made in their favor.

**HOW MUCH WOULD THEY GET?**

Question as to Whether Claimants Secure Home as Well.

The Joslyn property is now valued at about \$200,000. The land, which is the estate involved in the litigation, consists of five acres, or about fifty city lots. It is a beautiful landscape with massive hot-houses on it. Whether or not the houses and improvements will go with the land when the suit is finally settled is still a matter of dispute.

"If the Sutphen's should succeed in getting a decision in equity which established the fact that the land never did legally belong to Joslyn they would probably have right to make claim for the improvements also, but the holder of land has some rights to the improvements even when his title to the land is disputed," said an attorney. "The exact value of the real estate which could be recovered if a decision is in favor of the plaintiffs, would



**The Hungriest Boy on Earth**

is the growing boy at ten. You can't build him out of books or sermons. His growing body demands more building material than the adult. Nature is making for him a structure of brain, bone and muscular tissue. She must build it out of the food he eats and the air he breathes. The best food for the growing boy or girl is

**Shredded Wheat Biscuit**

because it contains all the material for making bone, brain and muscle. The crispness of the shreds promotes mastication, which means sound teeth. The food to study on, to play on — for children and grown-ups. Your Grocer sells it.

Shredded Wheat is made of the choicest selected white wheat, cleaned, steam-cooked and baked. Try it for breakfast to-morrow with milk or cream. The Biscuit is also delicious for any meal in combination with fresh or preserved fruits.

**THE ONLY "BREAKFAST CEREAL" MADE IN BISCUIT FORM**

involve a number of legal points which must be developed in the trial. The attorneys for the Sutphen's, Rich, O'Neill & Gilbert, are of the opinion that their clients are entitled to house and all the rest of the property on the land.

**G. COLLINS STILL ON THE RUN**

He and Courts Cannot Agree on the Disposition of His Property.

After being several times fined in police court last year for maintaining a nuisance, appealing the cases to the district and then to the supreme court, being fined \$25 and costs again Wednesday for the same offense and giving notice of an appeal, G. Collins, 209 Cuming street, left police court before his appeal bond was drawn up and approved.

He was chased a block and a half by Court Officer Driscoll and Health Officer E. M. Bonco, brought back to the court room and remanded to jail under an ordinary mittimus. Later he was released, when his appeal bond was properly furnished.

The property in connection with which Collins is being prosecuted for maintaining nuisances is located at 2920-32 Cuming street, and near Twenty-fifth and California streets. Lack of sewer connections give rise to the trouble, and Collins is delaying making the required improvements until the cases are settled in the higher court.

**CODY IN INTERIOR TOWNS**

Buffalo Bill Will Show This Year in Smaller Cities of His Own State.

Colonel W. F. Cody writes to friends in Omaha that he has decided to show this year in several of the interior towns of Nebraska. Last year a stop was made at Omaha and then the show hurried on to the Pacific coast. The colonel says his new show under the management of himself and Pawnee Bill is doing a big business. The show is now in Chicago for a week and will then tour Wisconsin and Illinois until August 7.

**F. A. Castle Buys In Her Grand**

Secures Half Interest in Hotel and Will Become an Active Manager.

A change will be made in the management of the Her Grand hotel this morning. F. A. Castle, having bought a half interest in the business from J. W. Hill, jr., will become a co-partner with the latter in running the house.

Some improvements are contemplated, and the office and cafe rooms probably will be revised and other changes made in the sleeping rooms.

Since Rome Miller severed his connections with the Her Grand, the hotel has been managed by J. W. Hill, jr. F. A. Castle, who becomes one of the proprietors of the house, has been engaged in the insurance business in this city for several years.

**MUCH THIEVERY, BUT NOT BECAUSE OF THE CIRCUS**

Light-Fingered Boys Are Not Connected with the Big Show.

And every rogue did hide his head And no thief raised a hand. So quoth Chief of Police Donahue in narrating conditions during circus day in Omaha. Not a single report of theft, pick-pocketing, jobbery or burglary has been received at the police station that can be connected directly or indirectly with the presence of the circus.

But that doesn't mean there were no such larcenies in the city. Several reports about the doings of the sticky-fingered individuals were made to the police station and some of them deserve prizes.

Longing for a "chew," one thief cut the screening out of a back window of Louis Giev's store, 2702 Lake street, and stole

twenty-four pounds of plug tobacco. With the exception of a few sacks of smoking weed, nothing else in the store was touched.

While A. H. Briggs, erstwhile candidate for mayor, was talking shop, politics and the weather with some prospective customers on the sidewalk in front of his store, 1308 Farnam street, a different kind of customer dropped in through the back door and helped himself to coins and bills, value \$7, which he located in the till.

Another loser was Mrs. George Mahoney, 909 South Twenty-seventh street, whose purse containing \$8 was taken from a match in the dining room while she was not in the house.

A. Timmerman, 4206 South Thirtieth street, is minus \$75 and an old revolver, which was stolen from his room.

But Ray Johnson, whose domicile is the Continental hotel, thinks he can beat all other stories of the "lost and missing" classification. Suffice it to say that where once he had a nice new suit of clothes and a nifty sailor straw hat, he now has old clothes and no hat; where until recently he was rooming with J. J. Callahan, he now is rooming alone, while the police are looking for the said J. J. Johnson declares that while he was enjoying the sleep of the apparel and straightway ambled forth on a long walk, from which he is not expected to return.

**RAINS HURT GRAIN CROPS**

Do More Damage Than is Thought, Says Man from Merrick County.

"The heavy rains throughout the state have done more damage to crops than most people have imagined," said George E. Schiller of Central City, who is a guest at the Paxton.

"In many parts of Merrick county wheat and corn are covered with several inches of water. This is the case, of course, in the lowlands, but the crops on higher ground have been injured considerably, too, by the incessant rains.

"There are places in Merrick and other counties in the state where wheat will

harvest only about one-fifth of the crop that it should.

"There is no scarcity of farm hands in Merrick as there is in other parts of the state. The farmers there have been able to get all the help they need."

**Woodmen Site Waits on Root**

Men Interested Rest on Ours Pending Sovereign Commander's Return from Chicago.

Men actively interested in the new site of the Woodmen of the World building are waiting on their ears, J. C. Root has not yet come back from Chicago, and anyhow it is generally believed now that nothing will be done until the executive council meets.

The new Woodmen building, if the location is satisfactory, will be one of the places considered for a home for the Commercial club. This organization will probably lodge in one of the new skyscrapers, but that one will not be the City National bank building at sixteenth and Harney. J. E. George told members of the executive committee of the Commercial club that the club would not be considered a desirable tenant on account of the kitchen. The members of the executive committee were considerably set back by this information, for they had imagined that the bank building company was waiting for them with open arms.

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Even the young folks can remember when all soda crackers were bought from an open box or barrel. At that time they were only used because there was nothing better. But now the perfected soda crackers

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in their moisture and dust proof packages are a staple 3-times-a-day food. The fact that nearly half a million packages are eaten every day in the year shows the popular appreciation of

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