

BRIEF CITY NEWS

Fidelity Storage & Van Co. Doing 1514, Have Moot Print It—Now Beacon Press Lighting Fixtures—Burgess-Graden Co Monthly Income for Life—Gould, Bee building.

When you know gas lighting you prefer it. Omaha Gas company, 150 Howard street. Douglas 68.

Goodrich Guaranteed Garden Hose, half-inch Whirlpool, five ply, 1 1/2 foot at Jas. Morton & Son Co. Buy now.

Would Be Police Judge—John N. Baldwin, candidate for the republican nomination for police judge, has filed in the office of the county treasurer, C. H. Bilyer, republican, has filed as a candidate for justice of the peace.

New Trial for Lentz—A new trial in the case of Fred Lentz, Fifteenth and Farnam streets, charged with selling liquor after hours has been called for by City Prosecutor Fred Anheuser and has been set for Saturday afternoon.

Will Discuss New Lights—Members of the Deer Park Improvement club will meet this evening at Vision school to discuss the proposed new street light now under consideration by the city council. Speakers posted on the subject will address the assembly.

Pro Rate on Mileage Basis—Passenger Traffic Manager Port of the Union Pacific is back from Chicago, who, with other railroad officials, has worked out a division of the fares to be received from Panama exposition visitors next year. The pro-rating is on a mileage basis.

Thieves Take Cash and Spectacles—Sam Harris, 1700 Burt street, has informed the police that someone gained entrance to his house Wednesday evening by raising the basement window and carried away \$20 in cash and three pairs of spectacles. The thief left the front door open when he left.

Schnoor Fined \$5 and Costs—A. Schnoor, 115 North Twenty-sixth street, who while riding a motorcycle at Twenty-second and Emmet streets, Wednesday afternoon, collided with another machine on which were riding Alvin Stone and Catherine Grell of Council Bluffs, was fined \$5 and costs in police court for reckless driving.

Walters at Chicago—General Manager Walters of the Northwestern is in Chicago in conference with the executive and operating officers of the system. This meeting will have to do with freight business and extra train service during the coming summer in the event it is thought that it is needed in the western portion of the road's territory.

Frost Reported in Several Sections Throughout State

Scattering sections throughout Nebraska were visited again by frost Wednesday night, according to station reports received by the railroads. Freezing temperature was recorded in some localities.

Sargent, according to the Burlington report, was the coldest point in the state, there the thermometer indicating 39 degrees above zero. At Sutton it was 41; at Hastings and Crete, 34; at Red Cloud, Brownville, Rulo and Table Rock, 36.

Gardeners on the market yesterday asserted that there was no frost either up or down the river in the vicinity of Omaha.

FINAL HEARING OF GAS CASE

Perpetual Injunction Suit Now Being Argued Before Munger.

HERDMAN OPENS CONTENTION

Cites Action of the Corporation and Declares that Dollar Gas Would Be Unreasonable and Confiscatory.

The final hearing in the case of the gas company against the city of Omaha has started before Judge Thomas C. Munger in the United States district court. The case instituted in 1911 has progressed slowly owing to the difficulty in securing the depositions and the numerous motions which have been argued in the case, in which the gas company seeks to obtain a perpetual injunction restraining the city from enforcing the dollar gas ordinance, and further asking that the dollar gas ordinance be declared null and void.

The contention of the city is that the law which gave the city authority to frame and grant the franchise is unconstitutional.

The gas company claims that the law, even if defective, a point which is not conceded by the plaintiffs in the case, that the subsequent action of the city in exacting and receiving the royalties and other acts on the part of the gas company, has constituted a ratification of the franchise which counsel for the gas company refers to in argument of the case, as the contract between the city and the gas company.

Herdman Opens Case. W. D. Herdman opened the argument for the gas company, outlining the issues of the case. The action of the gas company was originally based on the validity of its franchise contract with the city, executed in 1885, and upon the further ground that the rates specified in the dollar gas ordinance were unreasonable and confiscatory. The second ground, that the dollar rate is confiscatory, has been dismissed, it being the contention of counsel that the issues of the case were confined to and would be decided upon the question of the contract.

W. D. Herdman and W. D. McHugh of Omaha with J. W. Dana of Kansas City are appearing for the gas company, while Ben Baker and W. C. Lambert represent the city of Omaha at the hearing.

Omaha Boy in Midst of Firing at La Pas

Hugh Sherwood, the Omaha lad who registered in the United States navy when the war scare came to a head, writes to Edward Doseckal of the United Doseckal Drug company that he got a taste of real action at La Pas, Mex., where his ship, the Lawrence, went to secure American refugees from Mexico. The Lawrence asked for coal and it was refused by the marial government, so the crew proceeded to take the coal anyhow. The Mexicans offered some objections, but a few shots from the ship's guns and the determined attitude of the men overcame the objections. The Lawrence took aboard quite a number of refugees, as the federal and rebels are in almost constant action in that neighborhood, according to Sherwood.

Key to the Situation—See Advertising.

FORMER CITY PROSECUTOR DIES AT HOSPITAL



THOMAS F. LEE.

M. P. IS ABLE TO MEET NOTES

Assistant to President Bush Assents \$30,000,000 Will Be Raised.

TO PAY BACK BIG LOAN

New York Bankers Refuse to Extend Time and Gould Lines Are Scouting for Funds to Meet Large Obligation.

M. C. Markham of St. Louis, assistant to President Bush of the Missouri Pacific railroad, is in town, having come in from the south while out on a trip over some of the company lines. While Mr. Markham does not pretend to speak for President Bush or the executive committee of the road, he is of the opinion that no difficulty will be experienced in raising the \$30,000,000 by June 1 and which is required to be paid over in New York to take care of notes that fall due on that date.

The \$30,000,000 is not money that was borrowed by the Missouri Pacific, but instead, is an obligation of the Western Pacific. Owing to the immense cost of construction and the numerous costly washouts that followed, the Western was compelled to have that \$30,000,000, so it gave short time notes, payment of which was guaranteed by the Denver & Rio Grande, another Gould property. The Missouri Pacific got into the deal by endorsing the notes and is now in position where it may have to pay them unless an extension is granted, which now seems to be improbable, as some of the New York bankers holding the paper have refused to give more time.

Mr. Markham asserts that at this season of the year crop prospects through the whole of Missouri Pacific territory were never so good as now. In Kansas he says they are talking of a yield of 130,000,000 to 140,000,000 bushels of wheat, and if either estimate should be reached it would be a bumper crop.

A Cure for Sour Stomach.

Mrs. Wm. M. Thompson of Battle Creek, Mich., writes: "I have been troubled with indigestion, sour stomach and bad breath. After taking two bottles of Chamberlain's Tablets I am well. These tablets are splendid—none better. All dealers.—Advertisement."

TOP FLOORS OF FONTENELLE WILL LIKELY BE FINISHED

Completion of the two extra floors of the new Fontenelle hotel building was practically assured at a meeting of the board of directors of the building. A second mortgage for the purpose was authorized, and the leasing company will take enough of the second mortgage bonds to furnish the money for the completion of all the floors. The second mortgage will be for \$20,000, of which \$15,000 will go for completion of the floors, \$15,000 will pay for the extra

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twenty-two feet of ground bought a year ago, and \$10,000 will go into the treasury. President G. W. Wattles of the company was also authorized to proceed with his arrangements for the \$20,000 first mortgage loan, which he has been negotiating. The question of the rate of interest this loan should carry has made

the only delay in closing it. Six per cent will probably be paid. Dr. King's New Life Pills. For constipation, torpid liver, sallow complexion, their frequent use will strengthen and add tone to your system. All druggists. 25.—Advertisement.

BURGESS-NASH CO. "EVERYBODY'S STORE" Store Hours: 8:30 A. M. to 6 P. M. Saturdays Till 9 P. M. Friday, May 15, 1914. Your Choice Friday From Our Stock of TRIMMED HATS at \$5.00. On Bargain Square No. 1 in the LINEN Section Friday. Odd Pieces of DINNERWARE. On Bargain Square No. 2, in the LINEN Section, Friday. These COATS at \$7.95. Remnant Lengths of Silks Friday. House Dresses at \$1.00. WASH GOODS. NOTION Specials. Sale of Lawn Needs Friday. In the Economy Basement. Women's \$3 and \$3.50 Pumps and Oxfords, \$1.89.

Just Right Pabst Blue Ribbon The Beer of Quality. Just right in Quality, just right in Purity, just right in Flavor. Is just right in every respect—just right all the time. Rendered and kept so by constant care in the selection of materials, skillful brewing and proper aging. The Pabst Company Tel. Douglas 79 OMAHA, NEB.