

DECLARES THE TAX INVALID

Judge Munger Holds School District Illegally Assessed River Bridge.

PLAINTIFF IS AWARDED JUDGMENT

Decision Fixes Point of Division in River Beyond Which Dakota County Cannot Go with Its Tax.

Judge Munger yesterday handed down his opinion in the case of the Sioux City Bridge Company against School District No. 11 of Dakota county, Nebraska, which gives judgment for the plaintiff.

The case was argued before the United States circuit court about two weeks ago. The complainants sought to enjoin the collection of certain taxes levied by the school district on the west half of the Sioux City bridge which spans the Missouri river between South Sioux City, Neb., and Sioux City, Ia., the west end of the bridge being near to it not within the boundaries of school district No. 11 in Dakota county, Nebraska. The school district levied and attempted to enforce a collection of a tax on the west half of the bridge as its property and to assess all property in the district.

The action of the complainants is based on the proposition that none of the bridge is embraced in the school district, and is not subject to taxation in behalf of the district.

The case is submitted on an agreement between the parties that the bridge proper is 1,000 feet long from the east to the west end, excluding approaches, and that from the west end of the bridge to the fourth pier is a distance of 400 feet, and that the west half of the bridge has been assessed and taxes levied thereon for school district purposes since 1894.

Declares Taxes Invalid.

In his decision Judge Munger says: "Applying the rule of law as above announced, the court finds that the dividing line between the states of Iowa and Nebraska at the point where the bridge crosses the river is at the fourth pier, 400 feet easterly from the west end of the bridge. It appears from the facts that the school district has assessed the entire west half of the bridge, or 500 feet, 407 feet of the bridge so assessed being clearly, as shown by the facts, outside of said school district. The assessment of the bridge and approach was made as an entirety, hence, in conformity with a previous decision of the supreme court of Nebraska, there is no method by which the portion of the bridge within and without the taxing district can be separated and the tax must be declared as invalid. The whole must therefore be declared illegal, and it follows that the complainant bridge company is entitled to a decree perpetually enjoining the enforcement and collection of the tax complained of.

The decision does not bar the school district, however, from beginning another action to levy and collect taxes on that portion of the bridge which may be justly considered within the taxing jurisdiction of the district.

Chicago Laundry—Best work. Tel. 265.

A Novel Attraction.

Perfection in the art of mechanical window contrivances is observed when one sees the novel apparatus now operating in Hayden's millinery window and which daily attracts thousands of people. There will be seen a number of beautiful wax figures, tastily gowned and crowned with gorgeous hats. The figures are arranged on high gold pedestals, which are made to revolve reverse to each other, presenting a unique and spectacular effect. The wax display is composed of an exquisite selection gathered from a number especially imported for that great society function, the Chicago horse show, now in progress in that city.

On diamonds A. B. Huberman has no competition. He is the only direct importer within 500 miles of Omaha. The latest value of 10 per cent a few days ago does not affect the price on the stones he brought over from Amsterdam eight weeks ago.

Mrs. S. Kovar, wife of a prominent merchant of Howells, Neb., is at the Omaha Florence sanatorium for nervous prostration.

Brief Layers.

IMPORTANT NOTICE. Special meeting of No. 1 of Nebraska Tuesday evening, November 3, at 7 o'clock sharp. By order of president.

Mr. George C. Thompson.

One of the six nominees for justice of the peace on the democratic ticket, was born in Kentucky in 1840, came west in 1858, and has been a resident of Omaha since 1898. In 1861 he was appointed to a position in the pay department of the United States army and served during the war as assistant to Colonel Bridgman. In 1886 he accepted a position with the Exchange National bank of Atchison, Kan., where he remained about nine years, when he was appointed to a position in the pension office at Topeka, Kan., during Cleveland's last administration. Mr. Thompson filled all these positions with ability and integrity. He will fill the office of justice of the peace with experience, ability and dignity. He is engaged in the advertising and distributing business and belongs to that great middle class to whom the office to which he aspires means so much. Voters who want an intelligent, clean and capable man for justice of the peace should vote for George C. Thompson.—Adv.

Homesteaders' Extensions.

On Tuesdays, November 3 and 11, the Missouri Pacific railway will sell both one-way and round trip tickets at very low rates to certain points in Arkansas, Kansas, Oklahoma, Southwest Missouri, Texas, etc. Stopovers allowed on the going journey. Limit of tickets is twenty-one days. For further information call on any agent of the company or Theo. F. Godfrey, Pass and Ticket Agent, S. E. Corner 14th and Douglas Streets, Omaha, Neb.

1-11-11—waiting—all want you.

A Wonderful Change.

Copley the Jeweler, 25 South Sixteenth street, has lowered the floor of his store four feet and put in a new all glass front, the first and only one of its kind in Omaha. When in Boston Mr. Copley photographed a front and reproduced it here. Mr. Copley has put in all new mahogany fixtures and remodeled throughout, and now has one of the nicest and most up-to-date jewelry stores in the west.

No goods sold at A. B. Huberman's jewelry store except under absolute guarantee as to lowest price and quality. Corner 15th and Douglas.

Attention, Knights of Brothers!

To each and every brother of this organization who resides in the state of Nebraska and Iowa and who has been initiated into full membership. You are hereby requested to assemble at your regular lodge room on the 24 day of November, 1903, for the purpose of taking part (with the great counsel) in the discussion of business of material importance to every member.

By order of the board of directors. Also your state commander, C. L. E. Have Best print it.

EXTRA SESSION UNPOPULAR

Senators and Representatives in Congress Are Not Enthusiastic For Extra Session.

ROOSEVELT KNOWS HIS BUSINESS

He Wants the Cuban Treaty Disposed Of Without Delay and Will Have His Way.

Theodore Roosevelt is an astute as well as popular leader. He could see without difficulty and without his ever-present glasses that at a regular session of congress might talk till mid-summer over the Cuban reciprocity treaty. He called an extra session to force prompt action and cut off the gab fest which the opposition had planned. The house, under a cloture rule, will approve the treaty by the 20th of November, at farthest. The senate will follow by the close of the extra session.

BANKERS RESERVE LIFE

commends the policy of the president in securing this early action upon the treaty. Politicians seeking parties advantage and eager to impress admiring constituents would undoubtedly have seized the opportunity for airing their views. Not only so, but they would be engaged also in a great political fencing match, which might develop great forensic ability, but could not benefit the country at large. Hence

B. H. ROBISON, PRESIDENT,

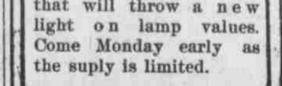
has instructed the field force of the Bankers Reserve Life Company to devote themselves to life insurance and eschew politics. The people of the eight western states open to this aggressive young level premium company are more deeply interested in building up high grade western financial institutions than in developing sugar plantations in the West Indies. With up-to-date, liberal policies, the Bankers Reserve Life is leading every western company in every feature making growth in a life company.

Hardy's

THE 90 CENT STORE 1513 Dodge St.

\$2 Decorated Lamps Complete with Globe, at 98c.

This is a big special drive that will throw a new light on lamp values. Come Monday early as the supply is limited.



—NOTICE OUR—

Special Prices This Week.

New Pianos \$400.00 pianos, only \$300. \$375.00 pianos, only \$275. \$350.00 pianos, only \$250. \$325.00 pianos, only \$225.

Used Pianos One Hallet & Davis square, big bargain, only \$15. One square, only \$28. One Emerson, elegant tone, only \$48. One Vose & Son, good condition, only \$68. One beautiful Knabe square, only \$88. One Steinway, worth double the money, only \$118. One Hale, upright piano, 7 1/2 octaves, only \$85. One New York make, almost new, only \$105. One Hallet & Cumstun, fine tone, only \$125. One new scale Kimball, latest design, only \$148. One Steinway grand, suitable for a lodge room, only \$218. One Kranich & Bach parlor grand, thoroughly repaired at our own factory, fine instrument for a professional musician, only \$275.

New and Used Organs Including such renowned makes as Mason & Hamlin, Estey, Crown, Burdette, etc., \$10, \$15, \$25, \$35 and up.

PIANO PLAYERS Maestro, Simplex, Cecilian, \$125, \$175 \$225 and up to the price of the PIANOLA, the only self playing piano device endorsed by the world's greatest pianists — Paderewski, Rosenthal, Moszkowski, Sauer and others.

Wheaton designs ads—catalogues—envelopes—anything for anybody. Due it well Telephone 1626. One Naught Seven, See Building.

PHILADELPHIA, Oct. 21.—The steamship Manchuria, built for the Pacific Mail Steamship company, struck on the way as it was being launched today at the New York Shipbuilding company's yard in Camden, N. J. Every effort was made to launch the vessel, but without success. At noon the tide had receded and it was found necessary to postpone the launching.

Creighton Medical college, corner Fourteenth and Davenport streets. Class now being formed for benefit of those who desire familiarity with law, either for its practical value in business or for higher mental culture. E. F. McCartney, secretary, 423 Omaha National Bank building.

FEORLA, Ill., Oct. 21.—The Continental National bank of Chicago has filed a claim in bankruptcy against the Acme Harvester company in the sum of \$62,000. In the United States court here, The First National bank of Hannibal has also filed a claim for \$5,000. These claims in the form of an intervening petition, which is being heard by Judge Kohman in Chicago today. Attorneys representing the company and members of the creditors' committee have gone to Chicago. These banks are signers of the creditors' agreement to refer the company's affairs to the committee.

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Schmoller & Mueller 1313 Farnam Street OMAHA, NEB. Phone 1625

Any prospective piano purchaser can try one of our fine-made MUELLER pianos in his own home without risk and at our expense. MUELLER pianos are warranted for twenty years against any imperfection of material, workmanship and tone. Money refunded if not satisfactory after giving the instrument a fair trial.

We Sell on Easy Payments \$10.00 down and \$5.00 per month until paid.

Why not try one of our OMAHA made pianos? Our prices are low because we sell direct and save you the middle man's profit. We also take old instruments in exchange, and allow full value.

ILLUSTRATED CATALOGUE MAILED FREE

Just Watch Omaha Next Year!

There has been MORE LIFE, MORE PUSH AND MORE DOING IN OMAHA IN THE PAST TWO MONTHS THAN THE WHOLE BALANCE OF THE YEAR and there will be more new building during 1904 than during any five years since the boom.

Just getting awake—and so are drug buyers—finding out that it pays to buy their drug needs from the FIRST CITY PRICE DRUG STORE IN NEBRASKA.

2c Carter's Little Liver Pills... 15c 2c Laxative Bromo Quinine... 15c 2c Quinaceto—guaranteed cure... 25c 2c Peppermint—all you want... 25c 2c Pierce's Remedies... 25c 2c genuine Chester's Pennyroyal... 25c Pills... 15c 2c Marvel Whirling Spray Syringes... 25c SENT POST-PAID ON RECEIPT OF PRICE. 2c Castoria... 25c 2c Bier's Malt Whiskey... 25c 2c pure Canadian Malt Whiskey... 25c ALL TICKETS FROM REGISTER ARE WORTH 5 PER CENT.

SCHAEFER'S CUT PRICE DRUG STORE E. T. YATES, Proprietor. Two Phones—747 and 787. 16th and Chicago Streets, Omaha.

TOOLS

Are one of the necessities of life, from the railroad track laborer to the highest skilled artisan—blacksmith to watchmaker, all are dependent upon them.

TOOLS for all trades is one of our specialties—then we have Tools for the "Ice Man."

We are constantly on the lookout for the LATEST tools, and WE KNOW our prices are right. JAS. MORTON & SON CO. 1511 Dodge St. BUILDERS HARDWARE.

Regent Shoe Co.

ONIMOD If you like dainty footwear—just a little newer in style—just a little snappier in effect—just a little better in quality—just a little easier fitting than any other shoe—the shoe from maker to wearer—come in and try the

ONIMOD The Shoe For Entire Satisfaction. Always \$3.50 to \$2.50 Regent Shoe Co. 205 So. 15th St.

FANCY VESTINGS...

Your wardrobe is incomplete without fancy vests. Fashion says you must have them. We have a line of the very freshest concepts in suitings of all sorts. Very handsome and effective they are, too. Come in and look them over.

Helgren & Gradmann Tailors 309 South Sixteenth.

SCHMOLLER & MUELLER

(INCORPORATED) MANUFACTURE-WHOLESALE-RETAIL PIANOS MAIN HOUSE AND OFFICE: 1313 FARNAM FACTORY: 1310 FARNAM TELEPHONE 1625 OMAHA LINCOLN, NEB CO. BLUFFS, IA 106 S. 11TH ST. 608 BROADWAY, OMAHA, NEB. TEL. 105

Wheaton designs ads—catalogues—envelopes—anything for anybody. Due it well Telephone 1626. One Naught Seven, See Building.

Deputy State Veterinarian. Food Inspector. R. L. RAMACCIOTTI, D. V. S. CITY VETERINARIAN. Office and Laboratory, 2nd and Mason Sts. Omaha, Neb. Telephone 94.

Perfield's Cut Price Piano Co. Bee Bldg., Room 7. Telephone 701. Water, Story & Clark. Ludwig Schuler.

One of the comforts of the 20th Century is Hot Water. We cannot all go to the Hot Springs and enjoy the comforts provided by nature, but we can at a small expense have Hot Water, and that in liberal quantities. There is no excuse for having cold water, or even warm water, as by our system of putting in Water Fronts we can give you hot water, and it at large quantities. Why not see us about it, and let us show you how easily your stove or range can be supplied with hot water attachments. Duplicate parts for all makes of stoves, ranges, furnaces, steam and hot water plants. OMAHA STOVE REPAIR WORKS, 1207 Douglas Street.

THE Bennett Company. The Leading Piano House of the West

The biggest month of Piano selling was October. We are determined to make November even greater. Our Vigorous Values will do it! We thought we had touched bed-rock, but Here's Better Than Ever! You needn't go further, you'll fare worse—Our prices and values ARE TRANSCENDENT! Your choice of one hundred guaranteed Pianos—A crowning chance of a keenly instrument at a bargably price. Used Uprights thoroughly fixed up, tuned and good as new. \$130 to \$180 New Uprights in all woods—Dandies—All designs. \$145 to \$185 Baby Grands Parlor Grands Concert Grands The richest in tone, the best in action, the choicest designs that ever crossed old Father Mississippi. All on Easy Payments. We want you to see the wonderful CHASE & BAKER PLAYER without question the best player on the market. See it! We start Monday a big sale of Sheet Music, Music Folios, Music Books and Small Instruments. Write or Call THE BENNETT COMPANY 16th and Harney Sts., Omaha.



The Fashionable Fads of Footwear

Are to be seen at this store in all the new and up-to-date styles of the season.

Some of the new novelties in fall styles are very smart and very handsome, made up in the new Corona patent cut, ideal patent kid and vic kid, and nowhere else will you find shoes of such high quality and correct style at popular prices.

\$2.50, \$3.00, \$5.00 We invite all to call and see the correct styles in our perfect fitting, high-grade shoes.

FRY SHOE CO. 10 & DOUGLASS OMAHA

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