

DEMAND FOR MORE JUDGES.

An Old Lawyer Reviews the Situation of Affairs.

WHY LITIGATION IS SLOW.

Room for Four More Judges in the District Court—Defects of the Jury Law Pointed Out.

A Hampered Judiciary.

"We want four more judges in this district," said a well known lawyer. "That admission would be no more than to say that they could be holding court while the old judges are studying up the cases already tried, and they could try many cases in time that is now spent in vacation."

"What are the lawyers doing about securing such increases?" was asked.

"Talking. Lawyers are always talking. The reports of Colonel Savage and President Poppleton of the bar association have turned attention to the subject, and the question is, What shall be done? They recommend the establishment of a municipal court with one or two judges; others favor a liberal increase in the number of district judges. The latter has been the popular way for improving the court facilities heretofore and it is believed that it will be endorsed again. Since the summer of 1883 the bar has voted against a municipal court on three different occasions. It has done so after discussion, and on logical grounds. Under the constitution a municipal court must be inferior to the district court, for a city or town to have a court, what is the use of creating an inferior court, when we can as easily create a court of the fullest powers? Why place a man in a room and designate him a municipal judge, with power to try only a few matters, when, if he be designated a district judge he can try any kind of an action or proceeding that may be brought?"

"Mr. Poppleton recommends," continued the speaker, "a municipal court having general criminal jurisdiction. The establishment of such a court would remove all criminal business from the district court. The municipal court of Omaha might have jurisdiction of criminal offenses committed in the territorial limits of the city, and offenses will be committed in the county outside of the city, which will necessarily come into the district court; other men would place in the municipal court appeals from justices of the peace; but appeals will be taken from justices who live within the city, and it is necessarily so for the district court; appeals from the county court go to the district court by express provision of the constitution; so that appeals as a class cannot be taken from the district court; only the appeals from the offices in the city could be lodged in the proposed city court. As that court must be inferior to the district court, its judgments must be subject to review by the district court; and this way, either by appeal or error, the offenses committed in the city, and the appeals from justices in the city, would finally reach the district court."

"It has been the subject of complaint, that after a trial in the peace court, defendants would appeal to the district court, and the case will finally 'pete' out. The same frequency of appeal from the proposed city court would be experienced, if it shall be established."

"The best court for the trial of criminals is a judge holding district court, whether he be No. 1 in the court house, or in the new court room in the jail, or in a room in the city hall, or in some other room in some other building in the city; for he can try any offense, great or small, and his judgment is final unless reversed on error by the supreme court."

"Not the least inconvenience resulting from a city court, will be the necessity of having another code of civil and criminal procedure, making two codes, one for rural in the city, and another for those in the country, but without the city."

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FROM A LIST LIMITED TO 300 PERSONS IS THE QUESTION THAT IS TROUBLING THE COURT OFFICIALS.

The judges held a consultation with the district clerk and the county attorney yesterday and agreed to make an order in the matter at once. It is the opinion of County Attorney Mahoney that the judges will construe the law so that another list of 300 may be called as soon as the first list of 300 is exhausted. This, however, is an open question, and may not be sustained by the higher courts if the action is contested.

ONE FEATURE OF THE LAW THAT IS NOTICEABLE IS THE IMMENSE AMOUNT OF EXTRA WORK, AND CONSEQUENTLY LARGELY INCREASED FEES THAT WILL BE PAID TO THE ATTORNEYS.

One feature of the law that is noticeable is the immense amount of extra work, and consequently largely increased fees that will be paid to the attorneys. He will be required to secure a jury each two weeks, equally distributed over the county. Numerous special venire are also expected to be demanded in the trial of important cases on account of the small number of the regular panel available at any one or two weeks' term.

SHOWN UP AS WRECKERS.

The entire day at the United States court was consumed by the attorneys making their pleas in the Patrick Davis case. City Attorney-elect Poppleton made the opening speech in behalf of the plaintiff. He reviewed the history of the mine from its beginning; told of its sale to the English capitalists by Edwin Davis and J. N. H. Patrick. He also declared that the action of Davis and Patrick after that time as trustees were those of wreckers and was on a par with those of felons who run railroads to ruin them. The account books produced by J. N. H. Patrick in evidence showed nothing. The book-keeper, Clark, kept them in accordance with the plan of the English capitalists. There was no intention of making the Flagstaff silver mine pay. J. N. H. Patrick was only the stool pigeon and agent for Davis. They were both finally driven from the mine. What right had J. N. H. Patrick to the books—who had been driven from the mine at the point of the musket?

WANTS PAY FOR HIS HOGS.

Addison E. Cady has commenced suit in the district court against the South Omaha National bank to compel payment of a draft for \$726. Cady drew on the bank from Dannebrog, asking them to recommend some reliable commission firm, and they recommended him to William Fitch & Co. as a reliable firm and promised to notify him if they had reason to believe otherwise. He sent a carload of hogs to Fitch, the proceeds of which amounted to \$726. This money Fitch & Co. deposited in the bank to their own credit. Cady drew on the bank for the money, but payment was refused, and owing to Fitch & Co. becoming insolvent he could not recover from them, hence his suit against the bank.

DEFIES THE CHARGES.

The story of John L. Nagle's divorce from his wife, granted December 28, by Judge Clarkson, on the ground that she had criminal relations with Ex-Congressman Hines in Michigan in July 1889, and at various times for a year thereafter, created a sensation in the city. Nagle paid \$100 to have his home in Brooklyn, Mr. Hines has telegraphed a denial of the matter; says he never knew Mr. Nagle, never heard of her, and never notified of the suit and that all the charges made by Nagle implicating him are entirely false.

THE FEBRUARY TERM.

In the February term of the district court will be commenced on February 10. At this term Judge Clarkson will attend to the criminal and the appeals from justices in the city, would finally reach the district court."

WANTS PAY FOR SURVEYING.

J. E. House has commenced suit against F. L. Foss for \$835 for services rendered in surveying the Lincoln belt line.

COUNTY COURT.

William E. Wilkins has commenced suit against James G. Hywater to recover \$203.19 on a note.

Jacob E. House has commenced suit against Frank L. Foss to recover \$835 for professional services in surveying the Lincoln Belt line.

The Home Investment company obtained a judgment against L. P. Prieny for \$200.

In the case of Langford Bros. vs Kurtz judgment was rendered for the plaintiff in the sum of \$838.10.

Administratrix of the estate of Joseph H. Miller, and Charles Carison was appointed administrator of the estate of Andrew J. Carison.

"Who breathes must suffer, and who thinks must mourn, and he alone is blessed" who knows that pain and suffering can be cured by Sarsaparilla.

"It is worth its weight in gold"—still Dr. Hull's Cough Syrup is to be had at all drug stores for 50 cents.

SOUTH OMAHA NEWS.

Temperance Literary Program.—The temperance literary society has arranged the following programme for the meeting in the Methodist Episcopal church Friday evening:

Remarks by the retiring president, A. L. Sutton.

Oratorical remarks by president-elect, Arthur Copeland.

Vocal Duet—Miss Altes Griffith and Mr. W. Reed Dunroy.

Music.

Debate—Resolved, That pride and ambition have done more to produce crime than ignorance.

Remarks by the retiring president, A. L. Sutton on the affirmative and Mr. A. L. Sutton on the negative.

Notes About the City.

Chicago, St. Paul, Minneapolis & Omaha stock trains coming in from Wayne, when on the belt line at the first out north of and about two miles from South Omaha, yesterday morning struck and crushed the three rear cars. The men all jumped and saved themselves. The engine was dented and the cars and one or two killed.

Alva Smith, of the firm of Smith & Stamps, Waverly, was in with hogs.

There are persons in this vicinity who might be benefited by knowing the experience of Mr. J. H. Helms, an engineer on the Atchison, Topeka & Santa Fe railway. We therefore publish it below for the benefit of the public. Mr. Helms says: "My wife had a long suffering with a very bad cough and trouble for two years. Nothing did her much good until I tried Chamberlain's Cough Remedy. Six 50-cent bottles of that medicine cured her sound and well. She is now entirely well and as sound as I ever saw her be." Mr. J. H. Helms, a prominent druggist at Fort Madison, Iowa, vouches for the truth of the above statement and says Mr. Helms told him he had tried several physicians in Chicago, with but little benefit, before using this remedy. For sale by all druggists.

Hail in Australia.

The Sydney Herald reports that during a severe storm at Louth, South Australia, chunks of ice as large as cricket balls fell in the streets. The cricket house, Royal Hotel, Telegraph hotel, and all buildings covered with iron roofs, were perforated by the hailstones. A number of dogs and cats were killed during the storm. Great damage was done to window glass and vegetation. For several days the mercury had been above 100 degrees in the shade.

An Angry Baunter.

A woman aged three years old was arrested in a New York police court the other day on the charge of drunkenness.

Sleeplessness, nervous prostration, nervous headache, neuralgia, dizziness, nervousness, spasms, sleeplessness, cured by Dr. Austin's Nerve. Samples free at Kuhn & Co.'s 15th and Douglas.

THEY DEFF WALKER'S RULING.

Nebraska Roads Refuse to Advance St. Paul Grain Rates.

CHAIRMAN FINLEY SO INFORMED.

Officials Refuse to Talk About Walker's Decision on the Union Pacific-Northwestern Alliance—Other News.

Refuse to Advance Rates.

When he was in Omaha last week Chairman W. W. Finley of the trans-Missouri association requested the Union Pacific, Fremont, Elkhorn & Missouri Valley and the Sioux City & Pacific to put on an advance rate on grain from Nebraska points to St. Paul which would conform to a late decision handed down by Chairman Walker of the Gentlemen's association. But these roads could not do so, and Mr. Finley's request and refused to comply with it. As an excuse for so doing they say that there is a large amount of grain in this state purchased for shipment to St. Paul on the basis of existing rates and to make any change in the tariff now, especially to raise it, would result in a heavy loss upon the Nebraska roads and do no body else any good. The Union Pacific's general freight agent informed Mr. Finley that according to his way of thinking it would not be a wise policy to make any such advance as suggested now, in the midst of the grain season when prices are so low. He is inclined to feel that it is not the part of the Union Pacific would be very detrimental to all interested association lines. He cannot see in what way the association would benefit his company for losses in case it should attempt to carry out the Walker ruling. He also reminds the chairman that the Sioux City & Pacific has a general freight association of its intention to make Mississippi river rates to St. Paul and Chicago rates to Duluth on grain from points on its line in Iowa. This, he thinks, will relieve the Nebraska lines of the embarrassing situation in which they are placed by the Walker ruling, being continued without prejudice to anyone.

Reply to the above and also to a similar letter from the general manager of the Sioux City & Pacific, Chairman Finley, in relation to the Trans-Missouri freight association agreement has been placed in his hands for execution and that he must require every member to comply with its provisions.

Fourth the position which these companies occupy toward the agreement in the matter of grain rates from Nebraska to St. Paul, and points beyond, and the fact that taken under the requirements of sec. 3, art. 3, of the agreement. In taking this position he has extended to them and others interested all the privileges and all the rights which the original and supplementary agreements accord. Anything of a different nature than his compliance with the agreement is in violation of the articles of agreement. There is no power vested in him to consider anything else. These had been interested parties to the agreement, and their consent and assent upon them for a proper review of their grain rates from Nebraska to St. Paul, and points beyond, and the fact that one thing left for him to do under the articles of the agreement, and that was to assess the penalties for willful disregard of its provisions.

Reports from New York convey the impression that at Tuesday's meeting of the Inter-State Commerce Commission Chairman Walker made a decision against the Pacific and Northwestern roads in their combination traffic arrangement, holding that it is in violation of the terms of the "Gentlemen's Agreement."

Horsford's Acid Phosphate For Night Sweats.

Nearly all of the paved streets were swept weekly, at a cost for the year of \$20,439.23.

During the year \$4,018.23 was expended in the construction of sidewalks, of which 5,441 line feet were of stone, at a cost of \$4,163.22.

This report is accompanied by tabulated statements showing the exact amount, location, kind and cost of all the grading, curbing, sewer, pavement and sidewalk improvements started or completed in 1889.

The expenses of the engineer's department in 1889 amounted to \$20,677.83, or \$1,322.17 less than the amount appropriated for the council for the expenses of the department.

A RUSSIAN BATH.

The houses of the Russian serfs are of logs, similar to those used in the United States. The roofs are thatched with straw, the windows small, the stables are just back, sometimes separated by a large salting shed, and the manure same roof. Their seats are made solid, long benches by the wall; beds narrow and also made home.

The place they cook in is like an old-fashioned brick oven. The kettles are suspended over the fire. One position of the big ovens is to utilize them as hot-air baths. This is a genuine "Russian bath" and is in common use among the peasantry. The primitive "finishing off" is heroic treatment, writes a correspondent of the Chicago Inter-Ocean from Russia. To take a cold out of the oven and give him a cold shower-bath as he stands on the snow under the stars will hardly become a favorite program in our careful American homes.

Pearls' soap secures a beautiful complexion.