# CLEWS' FINANCIAL LETTER to the high rates for new discounts, loans

Monetary Conditions in Wall Street Sized Up , the by an Expert.

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PRESENT OUTLOOK IS HIGHLY FAVORABLE

#### Prosperity Prevails and Trade and Industry Are in a Sound and Hopeful Condition-Effect of the Boer War.

NEW YORK, Jun. 7 .- (Special.)-Henry Clews, head of the banking house of Henry Clews & Co., writes:

Clews & Co., writes: The market has partially recovered from the December decline and has emerged greatly strengthened by that test. All dan-ger of panle was successfully averted and it will be many months before the low prices then tom hed will be seen again. As for the future course of the security mar-kets in Bio any opinions of value must be guided by careful onsideration. Taken as a whole, the outlook for the present year is highly favorable; prosperity prevails throughout the country, while hoth traile and industry are in sound and hopeful con-dition. These are powerful factors in a built market, indeed, we could have none better, and were they allowed full sway we might export active and strong mar-kets thronghout the year, but there are important offsets to be considered which would quickly upset any too optimistic con-cusions.

t is very unlikely that 1900 will be a repe-It is very unlikely that 1900 will be a repe-tition of 1850. Even prosperity has its fluc-tuations and drawbacks especially when cost of material and labor rise to a point that checks hew enterprise or leads to overproduction, with all the inconvenient consequences that follow. The rise in many commodities has been quite pronounced. In pix from and iron products the advance has been simply phenomenal owing to the treple fron and fron products the advance has been slimply phenomenal, owing to the tre-mendous pressure of orders. The effect of this is to again bring into use many ob-solete and discarded plants in all parts of the country, which may run at a profit for a few months or years, but must ulti-mately succumb to the competition of stronger and better equipped concerns when prices recede to the normal. There are a number of very important enterprises now held in absyance because of the high price of iron entering into permanent structures f iron entoring into permanent structures and when the oresent rush of orders has been satisfied and some concessions effected : been satisfied and some concessions effected in values these buyers will probably come into the market and so prevent any serious or too rapid decline, but it should not be forgotten that the present roseate condi-tions in the iron trade will not continue indefinitely. The stock market is now more under the influence of iron than ever, first because so many securities of that class are now dealt in here, and second be-cause in various ways railroad traffic is materially affected. Any marked subsidence of the activity in the iron trade is, there-fore, likely to withdraw a powerful stimu-lus to stocks, but this will not happen for months to come, many concerns having on hand orders that will keep them ousy for the next six months earning large profits.

 It is to stock, but this will not happen for many concerns having of the max grade to 32c, closing a shade under the stock, but this will not happen for many concerns having of the max grade to 32c, closing a shade under the distribution. The max grade to 32c, closing a shade under the distribution of the days are elefts was to 32c, closing a shade under the distribution. The max grade to 32c, closing a shade under the distribution of the days are elefts was to 32c, closing a shade under the distribution. The disposition of the days are elefts was to 32c, closing a shade under the distribution. The disposition of the days are elefts was to 32c, closing a shade under the distribution. The disposition of the days are elefts was to 32c, closing a shade under the distribution. The disposition of the days are elefts was to 32c, closing a shade under the distribution. The disposition of the days are elefts was to 32c, the days are elefts was to 32c, the days are elefts was the distribution. The disposition of the days are elefts was the distribution. The disposition of the days are elefts was the days are elef In interingent legislation, and we can only hope for conditions which will not aggra-vate them until congress takes up the sub-ject in earnest. Our war tariff is yielding a much larger national revenue than is required, causing a locking up of funds in the treasury and an injury to business that provokes serious and not always well directed criticism. Some modification of the present scale of taxation is desirable, if the administration wishes to avoid difficul-lies for which it is not responsible. Con-gress, however, is not likely to attempt any radical changes with a presidential con-test so close at hand. There is a strong de-sire not to reopen the tariff question and a willingness to put the county formally Ribs Fire not to reopen the tariff question and a willingness to put the country formally upon a gold basis, but no serious disposi-tion to give the country a scientific banking and currency system, although much prog-ress has been made in that direction. The trust problem will receive some attention from congress, but there is fortunately a disposition to go slowly in dealing with so intricate a subject, where hasty action might do more harm than the trusts at their worst. Briefly forecasting 1900, then, the political outlook is not more unfavortheir worst. Briefly forecasting 1990, then, the political outlook is not more unfavor-able to the stock market than usual. Po-titical considerations may cause some hes-itation, particularly in view of it being a presidential year, but there is no cause for uneasiness. The business outlook is excel-lent, though as rising prices cannot go on indefinitely some reactions may be reason-ably expected. An event of great business imrortance for the future is Secretary Hay's forilliant success in influencing other counindefinitely solution in the second s

to the high rates for new discounts, loans were only moderate. A reduction of rate is expected at the bank during the latter half of this month, if nothing political in-tervenes. The gold export to England has ceased, although exchange remains above the gold point. The export to Holland, however, continues in small amounts. It is rumored that considerable Russian morey has been placed here. The bourse incrouse, it started bullsh, but weakened upon the report of the selfaure of the Bundesrath and intelligence regarding the movements of Russian troops. The bears took advantage of both incidents to beat down values. The declines, however, were not heavy and the general tendency re-mains rather firm. The financial press points out that Ber-in stood the recent situation better than bunden and New York. Although much derman money was lost at the London settlement this did not cause failures or embarrassments here. The heavy advance in gold mine taxes in the Transval causes very unfavorable temmer in the financial press, Even the pro-Ber organs say the action is con-incatory. It is reported that the German and French consus in Pretoria have al-ready protested on behalt of their respective governments.

Receipts were:

CHICAGO GRAIN AND PROVISIONS.

Features of the Trading and Closing

Prices on Saturday. CHICAGO, Jan. 6.-Liberal receipts, the poor export demand and rather easy cables combined to weaken wheat today, May closing 40% under yesterday. Corn closed a shade and oats fac lower. Provisions unchanged to 752c higher.

24 .... Dec. 29.... Dec. 30... Dec. 31... [1900, [1899, [1898, [1897, [1896, [1895, [1894, 

Dec. Dec. Dec. Dec.

Dec.

16...

leges and closed weak, 403% under yes-terday at 684,008% c. Primary receipts were 512,411 bushels, compared with 755,558 last year. Minne-apolis and Duluth reported 450 cars, against 368 last week and 518 a year ago. Receipts here were 42 cars, 10 of contract grade. Atlantic port clearances of wheat were 283,831 bushels, of flour 31,333 barrels. New York reported only 5 loads taken for event. export.

export. Corn was easy with wheat, but outside this influence was little cause for depres-sion, and though the tendency was down-ward the decline was triffing. Business was ward the decline was triming. Business was dull. Considering the good roads country , offerings were small. Selling was scattered. Receipts here were 446 cars. May ranged from 32% @32% to 33c, closing a shade under yesterday at 32% Stocks here will in-crease about 1,009,000 bushels.

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Theat an. day uly orn-	6514 6844 (0.69 6946 (0.14	6514 69 691/2	6516 6836 6836675	65% 68%20% 68%6769	6514 6878 6938
an. May uly	3276(233) 3276(233) 33%	30% (73%) 33 33%	3014 82% @ 38 3312 @ 58	30%4 (2.%) 32% 33%2 (2.%)	3276 0 33 33%
an. May ork—	22 2378	22 2378	22 23%	22 23%	22 2376

34.30(6.25; western wethers, 34.25(34.76; west-ern lambs, 35.50(6.25; mestern wethers, 34.25(34.76; west-RECELIPTS-Cattle, 4,000 head; hogs, 35.990 head; sheep, 2,000 head. OMAHA LIVE STOCK MARKET

Marked Changes in Prices.

Trade Active and Everything Sells

Stronger Than at the Opening

-Good Demand for Sheep.

SOUTH OMAHA, Jab. 6.

[1899, 1898, 1897, 1896, 1895, 1894 1893,

in Good Senson-Market Closes

Kansas City Live Stock. Very Light Receipts of Cattle and No DEMAND FOR HOGS IN EXCESS OF SUPPLY

St. Louis Live Stock.

Cattle, Hows, Sheep, 1,494 2,070 810 2,647 2,896 2,934

### New York Live Stock.

NEW YORK, Jan. 6.—BEEVES-Receipts, 44 head; very little trading; steady; ex-ports, 666 head cattle, 130 head sheep and

ports, 666 head cattle, 130 head sheep and 1.800 quarters of beef. CALVES-Receipts, 62 head; very little doing; veals, nominally steady; common barnyard calves, 81.25; car westerns unsold. SHEEP AND LAMBS - Receipts, 2,422 head; steady; sheep, poor to fair, \$2.50(34.25; lambs, 36.259(6.70; Canadian lambs, \$6.50; culls, \$4.00(24.50; HOGS-Receipts, 5063 head; half a car on culls, \$4.00204.50. HOGS-Receipts, 6.063 head; half a car on sale; nominally steady.

St. Joseph Live Stock.

SOUTH ST. JOSEPH, Mo., Jan. 6.-(Spe-dal.)-The Journal quotes: CATTLE-Receipts, 200 head; market HOGS-Receipts, 520 head; market easy to 5c lower; all grades, \$4.3064.425; bulk of sales, \$4.32594.375; SHEEP-Receipts, none; demand strong; 15925c higher for the week.

## Stock in Sight.

 Stock in Sight.

 Following are the receipts at the four principal western markets for January 6: Cattle, Hogs. Sheep.

 South Omaha

 238 7,350 1,616

 Cattle, Hogs. Sheep.

 South Omaha

 Cattle, Hogs. Sheep.

 South Omaha

 Cattle, Hogs. Sheep.

 Cattle, Hogs. Sheep.

 Chicago

 Kansas City

 300

 St. Louis

 300

 South Omaha

Totals ...... 4,868 47,220 16,716

## OMAHA GENERAL MARKET.

Condition of Trade and Quotations on Staple and Fancy Produce.

EGGS-Receipts light; fresh stock, 15c.

TURNIPS-Rutabagas, per lb., 1%c; Ca-

SUPREME COURT PROCEEDINGS LINCOLN, Jan 2—Court met pursuant to inw J. M. Mohney was admitted to practice. Lincoln against Pirner, leave to plaintiff to file supplemental briefs. Lin-coln against Lincoln Street Railway com-pany, leave to George O. W. Farnham to lie briefs. Sager against Mead. Symins-ton against Keller, Willson against Street Railway com-pany, leave to George O. W. Farnham to lie briefs. Sager against Miles, Erikeen against Anthony, Farr against Kingsley, Graham gainst Farmer's and Merchanist Insurants Insurants Authony, Farr against Kingsley, Graham gainst Farmer's and Merchanist Insurants Insurants State ex rel Hench, Alling against Fisher and Missouri Facific Railway company Falsken. dismissed Hetth, against Falsken, dismissed Hetth, diginst Falsken, dismissed Hetth, diginst Falsken, dismissed Hotth against Falsken. Missouri Facific Railway company Falsken. Missouri Facific Railway company for the substitution of parties. Mosename against Falsken, dismissed Hotth against Falsken. Missouri Facific Railway company for the substitution of parties. Mosename against Falsken discourt facific Railway company for the substitution of parties. Mosename against fuelse of the against frisher and Missouri Facific Railway company falsken. Missouri Facific Railway company for the substitution of parties. Mosename against falsken to the facific relevance of the property from the final fuelse of the court before it can the vertice. A decrea is not final iff anything re-mins to e done by the court before it can the vertice. missed. Bates against McGuckin, order for substitution of parties. Moseman against State ex rel Hench, Alling against Fisher and Missouri Pacific Railway company against Fox, advanced. Glenn against Joehnek, Traynor against Smith, Stuart against Bank of Staplehurst, Stuart against Jones National bank, Stuart against I tica bank, Stuart against Holt, Stuart against Balley, Ruhe against Holt, Stuart against Balley, Ruhe against Lacy, affirmed State ex rel Emerson against Dickinson, leave to respondent to file briefs in thirty days. January 3, 1960.–State ex rel Dickleson against Scott, leave to file answer Craw-file reply briefs. Snyder against Norris, Lincoin Land company against Phelps file reply briefs. Snyder against Norris, Lincoin Land company against Phelps county, Chamberlain Banking company against Insurance composite (two cases), Lawton against Fonner, Kocher against Cornell, Edney against Barm, Perrin against Hanna, Dryden against Parcotto, Bankers' Life association against Robbins, Libby against State ex rel Davis, State against German Sayings bank, motions for rehearing overruled. Zimmerer against Fremont National bank, motion to strike briefs overruled. Beatty against Mercan-tile Trust company, suggestion of diminu-tion allowed; dismissed. Stateks against Crawford, motion to dismiss overruled. tion allowed; dismissed. Statcks against Crawford, motion to dismiss overruled. Harri's against Shifley, motion to quash bill of exceptions sustained; affirmed. Cul-ley against Hagerman, motion to dismiss petition in error overruled. Dartmouth Savings bank against Foley, dismissed un-less appellant serve and file briefs in twenty days, Pierce against Atwood, order to file additional supersedens bond. Brown against Chicago, Rock Island & Pacific Raliway company, motion to quash bill of exceptions overruled.

January 4, 1900 -- Kennard against State,

affirmed. Court adjourned until January 23, 1900, when the following cases will be called: Thompson against Weat, Ege against Me-Carthy, Elkhorn Valley lodge, No. 57, In-dependent Order of Odd Fellows, against Hudson, Stephens against Flemy, Rogers against Marriott, Garretson against Ernst, Chamberlain Banking house against Zu-tavern, Ball against Beaumont, Krueger against Jenkins, Alfree Manufacturing company against Grape, Chleago, Rock Is-land & Pacific Railway company against Zerneeke, Chicago, Rock Island & Pacific Railway company against Eaton, Upton against Betts, Swiyne against Hill, Schmidt & Bro, company against Mahoney, affirmed Schmidt & Schmidt & Bro, company against Mahoney, Eastern Banking company against Seeley, Welsh against State, Moseman against State ex rel Hench, State against Standard

Oil company

## Supreme Court Opinions.

Condition of Trade and Quotations on Staple and Fancy Produce.
 EGGS-Receipts light; fresh stock, 15c.
 DRESSED POULTRY-Choice to fancy turkeys, 16c; ducks, 5c; reserving chick-micks, 5d; created, 5d; creaters, 4d; disc.
 LIVE POULTRY-Hens, 5c; spring chick-micks, 5d; creater, 5d; direct and stargy roosters, 3d; direct as a section of the same cause.
 BUTTRE Common to fair, 15% cr choice, 3d; direct as section of the same cause.
 BUTTRE Common to fair, 15% cr choice, 3d; direct as section of the same cause.
 BUTTRE Common to fair, 15% cr choice, 3d; direct as section of the same cause.
 BUTTRE Common to fair, 15% cr choice, 3d; direct as section of the same cause.
 BUTTRE Common to fair, 15% cr choice, 3d; direct as section of the same cause.
 BUTTRE Medium, per and, 13, 256 1409.
 CAME - Ducke, 3d; direct as section of the same cause.
 Miller against Neeley. Error from Box Buffer county, Affirmed. Norval, J.
 Buffer against mechanic's lien this court of mand and, per can, 22c; unik standard, per gal. 31.50; extra selection, 25, roo strain, per ton, 31; 560 200.
 HAY-Upiand, choice, 35, roo strain, per ton, 31; 560 200.
 MERES-Per doz, bunches, 40c; and onts, chopped, per ton, 312,50; bran, per ton, 313; shorts, per ton, 312,50; bran, per these of the court

void.
 In such case a defendant on whom such erroneous summons has been served should,

4. An a, and from a decree of foreclosure by a defendant who objects only to the s premature if taken before the rendition f such indement. If taken before the rendition

Jones. Error from Sarpy county, Reversed, Liarrison, C. J. Where the evidence of the plaintiff in suit for damages for personal injuries al-leged to have been the result of negligence of a detendant conclusively established contributory begligence of the plaintiff which was the immediate cause of the in-juries there can be no recovery and it is error to refuse a request to charge the jury to return a verified for the defendant. Webster azainst Hastings. Error from Webster against Hastings, Error from entney county, Reversed, Sullivan, J. 1. The due authentication and enrollment a statuto affords only prima facte evi-

appears in them regarding the enact-

title thereof

State against Home Insurance Company,

Neb.

tate. 4. The services having been obtained and 4. The services having been became

liability can be enforced by suit. 5. A company which has obtained the per-formance of the services by the auditor in the issuance of certificates of authority to do business in the state, also his atten-tion to other things for which they must apply to or call upon him, and has used and enjoyed the results and benefits of said matters will not be heard to unreasents

allo, enjoyed the results and benefits of said matters will not be heard to urge against the recovery by the state of the fees for such services which have not been paid into the state treasury; that the certifi-cates and documents issued to it by the auditor were void for the reason that the fees had not been paid in advance and where required by the constitution. 6. The fees were paid to Eugene Moore, then state auditor. He could and did not act as agent for the state in the reception of the fees. It was an act which was dis-countenanced or forbillion by the constitu-tion.

BARBARA FRIETCHIE'S FLAG.

f stoch indement in the standard of the standa blue bunting. Colonel Benjamin F. Reno of Marengo, Ia., my uncle, was on my father's staff and was throughout the Maryland campaign during August and September, 1862, and passed through Frederick with father's corps, the Ninth, shortly before the battle of South Mountain. In a letter received from my uncle lately he stated that as the union troops were passing through the town Barbara Frietchie waved a union flag from her window; that when of a statute affords only prima facte evi-dence of its passage. 2. The legislative journals may be ex-amined for the purpose of ascertaining whether a measure was enacted in the maic prescribed by the constitution. 3. If the entries found in the legislative journals explicitly and unequivocally con-radict the evidence furnished by the en-rolled bill the former will prevail. 4. The legislative journals, kept in obedience to the command of the constitu-tively appears in them regarding the enact-tively appears in them regarding the enact-General Reno rode up he dismounted and

the fact that Whittler received his informaely appears in them regarding the chacter int of a law. 5. The provision of section 11, article iii the constitution that "no bill shall con-in more than one subject and the same all be clearly expressed in its title." is death that the week tended to prevent surreptitious legislation reign to the subject of the original act ad which will not be embraced in the the thereof. The thereof. 6 Chapter xiv, Session Laws, 1885, is void a amendatory legislation not covered by le tille of the original act. 7 A pending action for personal injuries bet not abate by the death of the plainthat when General Reno's division, the advance of Burnside's corps, passed her house State against Home Insurance Company, farrison, C. J. I. It was provided in the constitution of Sta that "all fees that may be hereafter ayable by law for services performed by a officer provided for in this article of the oustitution, shall be paid in advance into ber. Mrs. Rives was personally acquainted

constitution, shall be paid in advance into the state treasury." 2. This so modified section 33, chapter xlift, Compiled Statutes (General Statutes 1873, chapter xxxiii, section 32), in relation to fees to be paid by insurance companies to the state auditor for services to be per-formed by him for them vanto in effect prohibit the payment of the fees to him or their reception by him. A sore against State 53 Neb., 831; State against Moore, 56 Neb. 52. 3. The insurance company applied to the then state auditor to perform for it certain services in the issuance of certificates of authority to transact business in the state and some other matters of the requirement of the law is more the transact business in the state and paid the fees to the auditor and ald not pay them and have not paid them into the state areasury. The payment to the auditor was whelly unauthorized and fid not bind the state nor did the money thus paid into the auditor's hands belong to the state. five points. This blue corner is composed of stripes are sewed together with white thread, in long stitches. The blue stripes the fees not paid the company became are sewed together with black thread. Un-table to the state therefor and such til recently Mr. Reno did not appreciate the til recently Mr. Reno did not appreciate the value of the flag. A letter from his uncle drew his attention to it, inquiring if he did not have Barbara Frietchie's flag sent home

Champagne Imports in 1899.

with the body of General Reno."

As shown by Customs statistics the im-ports in 1899 9of G. H. Mumm's Extra Dry reached the enormous figure of 109,303, cases, being 72, 495 cases more than of any other brand-a record unprecedented in the history of champagne. Its 1895 vintage now imported has no equal.

E, Smith & Co.

Dry Goods, Furnishing Goods

AND NOTIONS.

Importors and Jobbers o

· Indicates Sunday . Holiday. The official number of cars of stock brought in today by each road was: Cattle, Hogs, Sh'p. H'r's C., M. & St. P. Ry ..... 2 O. & St. L. Ry...... Missouri Pacific Ry.. ... 24 Union Pacific C. & N. W. Ry..... C. & N. W. Ry..... C., St. P. M. & O.... 1 B. & M. R. R. R. ... 1 C., B. & Q. Ry.... 1 C., R. I. & Pa., east... C., R. I. & P., west... 4.1.2 22 ... .... ..... Total receipts .... 9 120 .... 10 The disposition of the day's receipts was

the shipper lost it. Under the new rul the stuff is sold on its merits for what it i

'ne matket was in good shape and every

3.75: selected feeders. \$1.2004.90; good to choice cows. \$3.0004.90; helfers. \$2.5005.00;

Immediate Ontlook. Immediate Ontlook. Concerning the immediate future of the foreads, as said above, on the Transvale will be plenty of money for investment. The new year opens up with the most will be plenty of money for investment. The new year opens up with the most for any court in the new year opens up with the most for any court in the new year opens up with the most for any court in the new year opens up with the most the whole business situation of any court open of the satisfactory a condition as we for all roads were never carrying so much the tailroads were never tails a good news if the tailroads were never any fact values the to so much to air advantage and its is the to so much to air advantage and the tails the to so much to air advantage and the tails the to be so much to air advantage and the tails the to be so much to air advantage and the tails the to be so much to air advantage and the tails the to be so much to air advantage and the tails the to be so much to air advantage and the tails the to be so much to air advantage and the to be so the to be so much to air advantage and the to be so the to be so much to air advantage and the to be so to be so the to be so the to be so to be to be to be to be to the to be so the to be so to be t

#### Menchester Textile Fabrics.

MANCHESTER, Jan 7.—The year opened buoyantly, with considerable Calcutta and China business at full orices, chiefly in gray shiftings and gray bleached goods. Since then the vagaries of colton have dam-pened the ardor of buyers and there was scarcely any change in prices during the entire week. The smaller markets are slow. Home trade is only fair, although the gen-eral feeling is hopeful. Yarns did a moder-ate business, the profit margin being bot-ter, as the decline in colton was not fol-lowed. December exports of yarns show a failing off of 25% per cent, only Japan and Ceylon showing moderate increases. The rontinent, Turkey, Morocco, Colombia, Ven-cruela. Peru, Brazil and India show the largest failing off. The principal increase was in china, the Duch Indies, Chili, Ar-gentina, Australia, the United States and the Philippines. France reports a continu-ing good demand for yarns and rising prices. MANCHESTER, Jan. 7.-The year opener, moyantly, with considerable Calcutta and

#### Berlin Finance.

Berlin Finance. BERLIN, Jan 7.—The money market grew steady and easier throughout all of last week, private discount reaching els-per cont vesterday. The case of the mar-ker is explained by the annual dividend pay-ments, which holders hesitate to reinvest in scentifies, owing to the uncertainties of the situation. The Deutsche Ockonomist, however, regards the falling of discount as an artificial mancaver designed to strengthen confidence. As confirming this view it points out that the great German banks, which usually lend call money at this date are now seeking the same at from view it points out that the great German banks, which usually lend call money at this date, are now seeking the same at from

s per cent. recovery movement of the Reichsbank last week was normal, while, owing

**5** 923/2 **5** 95 **5** 871/2 **5** 95 **5** 80 **5** 80 **5** 95 Jan. May Jan. May

Cash quotations were as follows: FLOUR-Steady: winter follows: FLOUR-Steady: whiter patents, \$3.40% 2.50; straights, \$3.00%3.20; clear, \$2.90%3.10; spring specials, \$3.90%4.00; spring patents, \$3.30%3.50; straights, \$2.65%3.00; bakers, \$1.90

WHEAT-No. 3 spring, 6254@66c; No. 2 red,

WHEAT-No. 3 spring, 62% 066c; No. 2 red, 67% 05% 12%. CORN-No. 2, 30% c; No. 2 yellow, 31c, OATS-No. 2, 22% 062% c; No. 2 white, 25% 07 55% c; No. 3 white, 24% 025% c; RYE-No. 2, 52% c; BARLEY-No. 2, 35% 042c, SEEDS-No. 1 flaxseed and northwest, \$1.51%, Prime timothy, \$2.35, Clover, con-tract grade, \$5.10, PROVISIONS-Mess pork, per bbl., \$9.25% 10.60, Lard, per 100 lbs, \$5.605,52%; Short the stuff is sold on its merits for what it is supposed to be worth, and if the govern-ment condemns it the buyer is the loser. Stockers and feeders have been in active demand all the week, and as the supply has been small the market has gradually firmed up and at the close of the week it is as high as it ever was, or higher. The country has seemed to want feeders re-gardless of price and have paid extremely high prices. PROVISIONS-Mess pork, per bbl., \$9,250 10.60. Lard, per 109 lbs., \$5,5005.5216. Short ribs sides (hoose), \$5,5005.75. Dry salted shoulders (hoxed), \$5,5006.75; short clear sides (hoxed), \$5,5506.50. WHISKY-Distillers' finished goods, on basis high wines, per gal., \$1,2325. SUGARS-Cut loaf, \$5,70; granulated, \$5.18. Following are the receipts and shipments for evolution. iigh prices.

at presen

 

 St. Louis Grain and Provisions.
 94.324

 ST. LOUIS, Jan. 5.—WHEAT—Lower: No.
 10ads

 2 red. cash, clevator, 65c; track, 72c; Janu-ary, 65%c; May, 70%c; July, 68%c; No. 2
 10ads

 hard, 65%f6; May, 70%c; July, 68%c; No. 2
 at \$4

 CORN—Steady; No. 2 cash, 30c; track, 315%31%c; January, 30c; May, 31%c; OATS—Lower; No. 2 cash, 24c; track, 21%c; January, 24c; May, 24%c; No. 2 white, 94.45
 the fill

 \$4.45 and there have been ups and downs the general tendency of the hog market this week has been higher and a considera-ble advance has been scored. The week started out with an advance of 507712c and

RYE-Easter at 52%c. FLOUR-Dull and unchanged; patents. \$2,4503.55; extra fancy. \$3.1003.15; clear, \$2.75

[12.90] SEEDS-Timothy, \$2.00@2.25; flax, higher,

\$1.48

CORNMEAL-\$1.706(1.75. BRAN-Sacked, cast track, 64c. HAY-Timothy, \$8.506(12.00) prairie, firm,

7.2508.59. WHISKY-Steady, \$1.23½. COTTONTIES-\$1.20.

BAGGING-5%4054c. HEMP TWINE-9c.

HEMP TWINE-bc, PROVISIONS-Dry salt mixed meats, extra shorts, \$5.02\5; clear ribs, \$5.75; clear sides, \$5.874; Bacon, extra shorts, \$6.12\5; clear ribs, \$5.25; clear sides, \$6.874; Pork, steady; jobbing, \$9.75, old; \$11.25; new Lard, nominal; prime steam, \$5.60; choice, \$5.65; METALS-Lead, firm at \$4.674; Speiter, dull at \$4.25;

POULTRY-Dull; chickens and ducks, 6 bc; turkeys, 7c; geese, 5c; RECEIPTS-Flour, 6,000 bbis; wheat, 9,000 bu; corn, 51,000 bu; oats, 35,000 bu; SHIPMENTS-Flour, 5,000 bbis; wheat, 43,000 bu; corn, 78,000 bu; oats, 49,000 bu.

Kansas City Grain and Provisions.

(ANSAS CITY, Jan. 6.—WHEAT—May, ; cash, No. 2 hard, 62942650c; No. 3, 5769 4c; No. 2 rad, 62670c; No. 3, 60467c; re-Gubartions: Good to choice fed yearlings, ccipits, 46 cars.
CORN-May, 29%c; cash. No. 2 mixed, 25% groot to choice fed ewes, \$1,0004.25; fair to good to choice fed ewes, \$3,5003.90; good to choice fed ewes, \$4,0004.25; fair to good fed ewes, \$3,5003.90; good to choice fed western lambs, \$5,5005.75; fair to good fed ewestern lambs, \$5,5005.76; fair to good fed ewestern lambs, \$5,5005.75; fair to good fed ewestern lambs, \$5,5005.76; fair to good fed ewestern lambs, \$5,5005.75; fair to good fed fed ewestern lambs, \$5,5005.75; fair to good feed in lambs, \$1,25074.50; fair to good feeding lambs, \$1,00074.25; feeder ewestern lambs, \$1,25074.50; fair to good feeding lambs, \$1,00074.25; feeder ewestern lambs, \$1,25074.50; fair to good feeding lambs, \$1,00074.25; feeder ewestern lambs, \$2,2508.00;

prairie.

u.; oats, 5000 bu. CHICAGO LIVE STOCK MARKET.

#### California Dried Fruits

NEW YORK, Jan. 6.—CALIFORNIA DRIED FRUITS.—Evaporated apples, quiet and steady: California fruits steady. Saite evaporated apples, common, 6465cc; prime, 64,67c; cholce, 74,67c; fancy, 81,59c, Cali-fornia dried prunes, 32,67sc per lb., as to size and quality. Apricots, Royal, 13045; Moor Park, 15,675c. Peaches, peeled, 200 22c; unisceled, 74,6716c. Prices Average Higher for the Week higher; good to choice, 45.5566.60; poor to medium, \$4.2005.20; mixed stockers, \$1.909

\$4.25

Minnessolis Wheat and Fionr. MINNEAPOLIS Minn. Jan. 6.—WHEAT —In store: No. 1 northern. 64%c; May, 65%c; No. 1 northern. 64%c; May, 10%c; No. 1 northern. 64%c; No. 1 hard, 66%c; No. 1 northern. 64%c; No. 2 northern. 11%c. FLOUR-First patents. \$12562145; second patents. \$3.1563.25; first clear. \$2.15622.25; BRAN-In bulk. \$11.00212.25. Choice cows. \$1.002140; helfers. \$1.256340; bulk of \$2.007445; calves. 4.005750; fed Texas beeves. \$1.000120; Hoffs Steady closing a shade stronger: top. \$1.5265; good to choice heavy. \$1.4093422; rough heavy, \$1.2004435; light. \$1.4093422; bulk of \$2.008 435; light. SHEEP AND LAMBS - Steady; good clearance: native wethers. \$1.4093.05; lambs,

patents. \$3 1508.25. first clear. \$2 1502.25. BRAN-In bulk. \$11.00212.25.

MUSHROOMS-Per lb. box, 50c TOMATOES-Florida, per 6-basket crate, \$1.50/05.00.

during the last few days, and for the week it is safe to quote the market 15@25c lower. Even good helfers sold lower, but as a matter of course the decline was the heavi-est on the less desirable stuff. Canners have declined 25@40c on account of a change FRUITS. have declined 25249c on account of a chang in the manner of selling. It has been cus tomary to sell the most of the common canners at this point subject to inspection by the government officers at the packing houses. In case the carcass was condemned

FRUITS. APPLES-Choice western shipping stock. 33.003359; New York stock, \$3.7534.00. GRAPES-Catawbus, per small basket, 18c; Malaga grapes, per bhl., \$7.0039.00. TROPICAL FRUITS. ORANGES-Mexican, per box, \$3: California seedlings, per box, \$2.5533.00. LEMONS-California fancy, \$3.75; choice California, \$3.50; Messina, \$4. MISCELLANEOUS.

MISCELLANEOUS. HONEY-Per 24-section case, \$3.25.

HUNEY-Per 24-section case, \$3.25.
 NUTS-Hickory nuts, large, per bu., \$1; shellbarke, \$1,25@1.35.
 FIGS-California layers, per 10-lb. box,
 \$1; California carton, per 10-lb. box, \$1.10; imported figs, per lb., 13c.
 DATES-60-lb. boxes, 5½@6c per lb.
 MAFLE SUGAR-Per lb., 9c.
 HUDES TALLOW ETC.

HIDES, TALLOW ETC.

high prices. HOGS-For the last day of the week there was a large run of hogs, but as it turned ou: there were not enough to fill all the orders and some of the buyers com-plained that they did not get as many as they wanted. The demand at this point seems to be in excess of the receipts just at present. HIDES, TALLOW F.IC. HIDES—No. 1 green hides, 8c; No. 2 green hides, 7c; No. 1 salted hides, 9½c; No. 2 salted hides, 3½c; No. 1 veal calf, 8 to 12 lbs, 9c; No. 2 veal calf, 12 to 15 lbs., 8c; TALLOW, GREASE, ETC.—Tallow, No. 1. 4c; No. 2, 3%c; rough, 2c; white grease, 2% @3¼c; yellow and brown grease, 2½@3c.

The market opened 21/2025c lower this morning under the influence of the lower advices from other selling points. The trade was active at the decline noted, so Butter, Egg and Cheese Market. NEW YORK, Jan. 6.-BUTTER-Strong western creamery, 25@30c; factory, 17@22½c; June creamery, 24/22sc; imitation creamery 196726c; state dairy, 206728c; state creamery

CHEESE-Firm; fall made fancy, small. 12%@13c; fall made fancy, large, 12%@13c; large late made, 12@12%c; small late made, EGGS-Weak; state and Penusylvania,

trade was active at the decline noted, so that the hogs were all sold in good season. Toward the close, as it became apparent that there were not hogs enough to go the rounds, at lenst no surplus, the market firmed up and closed a little stronger than it opened. As to prices, pigs sold at \$3.95. Some rough mixed loads, consisting of big beavy packers and small pigs sold at \$4.25. Some few rough mixed loads brought \$4.30 (at 32)<sub>2</sub>, but the great bilk of all the good loads went at \$4.35, as ugainst \$4.352,64.374 yesterday. Some of the better loads sold at \$4.371<sub>2</sub>, with a top at \$4.40. The top yesterday, it will be remembered, was \$4.45. 25@25c; western, ungraded, at mark, 16@22c; western, 24@25c, loss off. PHILADELPHIA, Jan. 6.-BUTTERestern prints, 30c, EGGS-Dull, unchanged; fresh nearby,

Det fresh western, 20c; fresh southwestern, 20c; fresh southern, 18c. CHEESE-Unchanged,

LOUIS, Jan. 6 .- EGGS-Steady at BUTTER - Steady; creamery, 14@28c

airy, 19923c. CHICAGO, Jan. 6.-BUTTER - Firm; reamerics, 22929c; dairies, 17925c.

started out with an advance of 507% c and on Tuesday 12% c was put on. On Wednesday and Thursday the market re-acted, there being a loss for the two days of a big 5c. On Friday the market boomed again, and though there was a slight loss on the last day of the week, the week closed with values 22% bigher. The table of average prices will show the average fluctuation from day to day as well as comparisons with previous years. SHEP-There was quild a bunch of sheep driven in from near-by points, though no carloads were reported received. The market was in good shape and overy- EGGS—Firm; fresh, 29c.
 KANSAS CITY, Mo., Jan. 6.—BUTTER— Creamery, 22025c; dairy, 17c.
 EGGS—Firm; fresh Missouri and Kansas stock, firsts, 16c, cases returned; storage, 109112c.

### Liverpool Grain and Provisions.

The market was in good shape and overy-thing changed hands early in the morning. A bunch of the J. J. Hurt yearlings, good stuff, sold some days ago, were weighed up at  $34.524_{\odot}$ , and a bunch of fair wethers sold at  $34.524_{\odot}$ . Some pretty fair ewes brought

 Liverpool Grain and Provisions.
 Liverpool Grain and Provisions.
 Liverpool Jan. 6.-WHEAT-Spot.
 dull; No. 1 California. 6s 3d: No. 2 western winter. 5s 1d: No. 1 northern spring, 6s 1igd.
 CORN-Spot. quilet: American mixed.
 CORN-Spot. quilet: American mixed.
 March. 2s 5%d.
 PEAS-Canadian, 5s 5d.
 FLOUR-St. Louis fancy winter. firm, 7s.
 HOPS-At London. Pacific coast. firm, 23 100 £4 198.
 PROVISIONS-Beef. steady: extra India mess, 52s 6d; prime mess, 76s 3d. Pork.
 steady: prime mess, 76s 3d. Pork.
 steady: prime mess, 76s 3d. Pork.
 steady: prime mess, 76s 4d. Hams.
 whort cut. 14 to 16 fbs. firm. 4s. Bacon.
 firm: Cumberland cut. 2s to 30 fbs., 33s 6d; ison to 18 fbs., 34s 6d; ison clear middles.
 hight. 30 to 35 fbs., 35s 4d; long clear middles. Is 2h. 35 fb. 6d; hear belles. 14 to 16 fbs., 6d Lard. prime western. in the fact of 16 fbs., firm. 34s 6d. Lard. prime western. in the form. 34s 6d. Lard. prime western. in the form. 34s 6d. Lard. prime western. in the steady. 31s 9d. Tallow, firm, prime city.
 2s 9d. Australian. in London, 2fs.
 BUTTER-Finest United States, 56s; good.
 CHEESE-Firm; American finest white. at 34.23%. Some profity fair ewes brought 34.25. The sheep market has been in good shape for the sellers this week, as the tendency of values has been steadby howards. The demand has been good and the supply moderate, so that it has been no trouble for receivers to keep the supply well cleaned up. In fact on most days of the week the pens were cleared at a very early hour in the morning. The total ad-vance for the week can safely be placed at 565%. Some yearlings actually sold 355 higher than the same kind brought the week before. Quotations: Good to choice fed yearlings. 14,5664.99; good to choice wethers, 34,4664.99;

CHEESE-Firm; American, finest white, is; American, finest colored, 59s.

## Toledo Market.

TOLEDO, O., Jan. 6.-WHEAT-Dull, ower; No. 2 cash, 64/26; May, 724/c bid. CORN-Lower, steady: No. 2 mixed, 22c. OATS-Dull, steady: No. 2 mixed, 24c. RYE-Neglected. SEEDS Clover, active, lower; prime cash,

in Cattle, Hogs Steady. CHICAGO. Jan. 6.-With a gain of 8500 head in the week's receipts prices averaged Peoria Market

PEORIA, Jan. 6.-CORN-Steady; new, (a. 2. 3a; OATS-Firm: No. 3 white, 22462354c, (a. 3 white oats, 245675c, WHISKY-Firm at \$1.255; on basis of

420

2. In such case a defendant on whom such erroneous summons has been served should, if he desire to take advantage of the defect, move to quash the writ.
3. Where a court obtains jurisdiction of a party by the service of a defective summons the judgment rendered is not void.
4. The right to correct an erroneous judgment arising from the service of defective summons the grocess rests in the first instance, with the process rests in the first instance, with the grout out of which the process issued.
Nebraska Savings and Exchange Bank against Brewster. Error from Douglas county. Affirmed. Norval, J.
1. The points of law decided on a former appeal ordinarily cannot be reviewed on a subsequent appeal.
2. The finding of a jury on a question of fact will not be disturbed on review when sustained by sufficient evidence.
3. It is not reversible error to refuse an instruction upon a point not involved in a case, or if in issue it has been fully and fairly covered by the instructions given.
4. Argument of counsel based on matters not in evidence will not be reviewed on a soft arity covered by the instructions given.
5. No officer possessed powen or authority to so act as to ratify for the state the receiving of the fees by the caultor. No one had power to effect a ratification of an act which was impliedly at least prohibited by the constitution.

Schlagek against Widholm. Error from Platte county. Affirmed. Norval, J. J. Rulings of the trial court will not be re-dewed which are not assigned as error in

e petition in error. 2. A judgment will not be entered on spe vent

2. A judgment will not be entered on special indings of fact in opposition to a general verdict unless such special indings are inconsistent with the general indings. A material alteration of a bond after its approval by a stranger to the instrument without the consent of the obiges or obliger will not release the latter. Chicago, Rock Island & Pacific Railroad Company against Farwell. Heversed, Error from Lancaster county. Norval, J. The view of the locus in quo by the jury is evidence, and not merely better to enable the jury to construe and apply the evidence. zens now residents of St. Joseph to or-ganize a good-sized club. Emporia's pioneer school house is be-ing demolished in order that a modern structure may be erected on its site. George Wheatley of Columbus announce

his candidacy for the republican congres-sional nomination in the Third district. The State Temperance union, the State

Board of Agriculture and the State Stock Breeders' association all hold annual meet ings in Topeka next week. idduced in the court.

Smith Center has a health record to be proud of. There has been but one death in the town in seven months and that was the death of a man who went there stele. George M. Munger is said to have gained control of the populist state com-mittee and his friends are almost count-

the jury to construct and apply the evidence adduced in the court. State ex rel Waldron against Ramsey. Mandamus, Writ denied. Harrison, C. J. In an action of mandamus it was com-plained that a trial judge had allowed a bill of exceptions and wrongfully included matters of amendments and excluded other things. The bill as allowed had been filed in an appeal to this court and had been filed in an appeal to this court and had been filed have been tendered before filed in this court to the trial judge for correction and settlement or after filing it should on leave obtained have been withdrawn from the files and presented to the trial judge for the desired action and without this suit must fail. ing his nomination for governor in ad Kansus holds Oklahoma warrants to the amount of \$13,000 for taking care of ter-ritorial convicts at the state penitentiary. Oklahoma has no "pen" and keeps her bad men at Lansing.

the desired action and without this suit must fail. State ex rel Bugble against Hoimes. Mandamus, Writ denied. Harrison, C. J. 1. Where a petition to intervene is filled without notice or application for leave to file or permission granted it is proper prac-lice for the court to pass upon the right or propriety of the intervention immediately prior to or at the time a decision or judg-ment upon an issue in the cause. 2. If such action is taken it may bar the applicant to intervene of the supersedeas of the main order or judgment in an al-itempted or prospective appeal by him The Kansas senators and representa-ives are pulling together for large ap-orpriations for the Leavenworth fort and he old soldiers' home. The amounts asked for will come close to half a millio tollars. A Kingman man is going into the business. He has purchased 1,200, w he will place on a ranch near there he tells the Leader-Courier that he

them at shipping time. tempted or prospective appeal thereirom.

The deposits in the Kansas banks are now about \$55,000,000, which is between \$40 and \$50 per capita, not counting the money in pockets, bureau drawers and old stockings. Thus has the dream of the old farmer, "\$50 per capiter," become a lying reality. there irom. 3. A petition of intervention, the avowed purpose of which was to object to the sale under order of the court by a receiver of an insolvent bank of some assets remaining after former sales, examined and held not sufficient under the circumstances and con-ditions as to the time made, etc., to effect an intervention.

ditions as to the time made, etc., to effect an intervention. 4. Where an appeal undertaking is changed before its approval by increasing the amount of the renality therein, without the knowledge or consent of the surety thereon, he is released from liability if the approv-ing officer had notice of such alteration be-fore the approval. 5. It is not reversible error to refuse a plaintiff to amend his petition to conform to the proofs, where, had such amendment heen made, the undispated evidence would not have justified a verdict in his favor. Gyger against Courtney. Error from Douglas county, Reversed Sullivan, J. 1. A trustee of an express trust who was restrained with respect to malters concern-ing the irust estate may maintain an action on the hond given in the intersector and Smallpox has made its appearance in the negro settlements of Monroe county. Springfield is in the fight for at least or ach of the democratic and republican state onventions Bert Edwards of Kansas City owns

ston county's poorhouse, was burned to death a few days ago.

West Plains people rose up in their might a few days ago and drove a mag-netic healer out of town.

1. A matching with respect to matters concerning the trust estate may maintain an action on the bond given in the infunction suit in work he is named as the obligee.
2. In an action against joint debtors the plaintif, unless the court of therwise direct, may proceed against such of the defendants as have been served with process.
3. Where the hearing of an application for a temporary infunction has been unnecessarily postponed attorneys' fees necessarily incurred in effecting a dissolution of a trop straining order are a proper element of damage in case it is determined that the terminating order should not have been altowed.

OATS-Firm: No. 1 white, 23492352c.<br/>No. 1 white oats, 245075c.age in case if is determined that the re-<br/>strathing order should not have been al-<br/>lowed.they are all scalskins, however.Milwankee Grain Market.<br/>Milwankee Grain Market.<br/>No. 1 northern, 660-<br/>BARLEY-Weak; No. 2, 45c; sample, 360A bond, voluntarily given, is not ren-<br/>dered void because of the fact that it is<br/>strathing order should not have been al-<br/>lowed.they are all scalskins, however.<br/>John Weiler of Maitland sold a load of<br/>yearing cathering the strathing order was<br/>that it be executed by "sureties".<br/>5. The voluntary dismission on<br/>the injuncton bond.they are all scalskins, however.<br/>John Weiler of Maitland sold a load of<br/>yearing cathering that averaged 1.08 pounds and topped the<br/>market at 25.29.Milwankee Grain Market.<br/>BARLEY-Weak; No. 2, sic; sample, 3605. The voluntary dismission on<br/>the injuncton bond.<br/>4. In the absence of evidence to the con-<br/>the injuncton bond.The wolern and most effective cure for<br/>tonsuitary histers.

BOILER AND SHEET IRON WORK Drake, Wilson & Williams Successors Wilson & Drake. Kansas Notes and Comment. A Coolidge man lost \$20 last week bet-ting on the proposition that this is leap

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