

FOLLOWS OLD ENGLISH LAW

Supreme Court Opinion in Case Involving Riparian Rights.

DECISION WILL KILL OFF IRRIGATION

Peculiar Ruling in the Matter Which Involves Large Public and Private Interests in Dawson County.

LINCOLN, Nov. 22.—(Special).—The decision of the supreme court in the case of Leroy Hall against the Crawford Irrigation Company, if adhered to in a future hearing, will probably be a deathblow to irrigation in Nebraska. In this case the court held according to the old English law that the proprietor of a river bank is entitled to have the stream flow through his land, unobstructed in quantity and unimpaired in quality.

The case in question was begun several years ago by Leroy Hall, who owns a farm of forty acres and a small flour mill on the White river in Dawson county. He sought to enjoin a company comprised of a number of citizens of Crawford from appropriating the water of the river for an irrigating canal. This canal started near the western side of Dawson county and flowed twenty-six miles through territory which was previously arid and practically worthless as farm land. Before the canal was built land along the course was valued at \$150 per acre; now it is valued at from \$10 to \$20 per acre. The canal furnished water for irrigating purposes to Fort Robinson and to the town of Crawford. The owner of the mill, which was located about thirty miles below the point where the canal started, claimed that the flow of water was greatly diminished by reason of the appropriation of water by the Crawford company. The trial court decided that he should be granted an injunction against the further appropriation of this water and the supreme court has upheld the decision.

The case was argued before the court on the 17th and 18th inst. The court has just rendered its decision, which is in favor of the Crawford company. The court held that the riparian proprietor is not entitled to have the stream flow through his land, unobstructed in quantity and unimpaired in quality. The court held that the riparian proprietor is not entitled to have the stream flow through his land, unobstructed in quantity and unimpaired in quality.

SECRETARIES WANT TO SECURE SALARIES. The three secretaries of the State Board of Transportation will probably file a motion in the supreme court for a rehearing of the case of the State of Nebraska against the Burlington railroad, in which the court yesterday rendered an opinion deciding the transportation commission's account.

General Oldham held a consultation with the three secretaries today and this course of procedure was practically agreed upon. Lawyers concede that there is but little likelihood of obtaining a reversal of the judgment and it is expected that the case is presented to the court in the name of the state it will be for the sole purpose of enabling the secretaries to draw salary for the month of December.

The decision of the court in the transportation case was a surprise to persons who followed the argument and it is said that the two state's attorneys expected an opinion of the sort that was given. The supreme court decision is similar to that given in the federal court in Omaha by Judge Munger several months ago.

TOTALS ON STATE OFFICERS. In the preliminary canvass of the vote for state officers the following totals were today obtained:

For Secretary of State—George W. Marsh, republican, 15,546; C. V. Sjoboda, fusionist, 110,765; D. L. Whitney, prohibitionist, 4,977; W. C. Sherkey, mid-road populist, 1,408; Frank Newman, socialist, 661.

For State Auditor—Charles Weston, republican, 115,259; Theodore Griles, fusionist, 110,852; Wilson Broid, prohibitionist, 3,931; James Taylor, mid-road populist, 1,543; C. V. Auld, 331.

For State Treasurer—William Howerd, republican, 115,713; C. C. Crowell, prohibitionist, 2,588; C. Lipton, mid-road populist, 1,373; T. S. Jones, socialist, 879.

Adjutant General Barry has accepted the resignation of Captain Kinney of Troop A Cavalry and Charles Weston, second lieutenant, stationed at Pullerton. Both have left the service because the duties of the officers interfered with their business. The troop will elect a successor November 29 and the company November 30.

ARMY DECISION AGAINST ABE MOORE. SUPERIOR, Neb., Nov. 22.—(Special).—A telegram was received this morning by W. F. Buck, county attorney here, from the Strahorn-Hutton-Evans Live Stock Commission company of Chicago, stating that the supreme court of Illinois has affirmed the decision of the circuit court of Cook county in the case of the Strahorn company against Abe Moore, a big cattle dealer residing at Salem, Neb., but making his headquarters in this county. The commission company had Moore arrested a year and a half ago and charged him with embezzlement. He was afterward released and five civil and criminal actions were started, one of them a damage suit of large proportions brought by Moore against the company. Recently Moore went to Chicago and detectives rearrested him. He was tried by the circuit court for obtaining money under false pretenses and found guilty. The supreme court now affirms this decision. One hundred and thirty-five thousand dollars is the amount involved in the case. Three of the civil actions are now pending.

CENTRAL CITY Celebrates. CENTRAL CITY, Neb., Nov. 22.—(Special).—The republicans of this city and vicinity held a grand ratification and love-feast last night to celebrate the recent landslide. The opera house was packed from pit to gallery, more than 1,000 persons being present. Letters of regret were read from Governor Roosevelt and Dietrich and from E. Rosenwater, George D. Metkelehn, George Wells and Charles Weaver. An interesting program, interspersed with music by an orchestra and the Rough Riders' Glee club, was rendered.

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Governor-Elect Selects Pawnee Man for Confidential Amanensis.

SMITH GOES TO INDUSTRIAL SCHOOL

Kearney Citizen to Serve as Superintendent—Mrs. Bryan Names a Member of Board for Industrial Home.

HASTINGS, Neb., Nov. 22.—(Special Telegram).—Officers from every nook and corner of the state have been flooding into Hastings this morning to attend the inauguration of Governor-elect Dietrich, who has kept mighty close to his rooms in the Postwick hotel. Today Mr. Dietrich gave it out that he had appointed H. C. Lindsay of Pawnee city private secretary and Mr. Lindsay accepted the honor. He is a graduate of the industrial school at Kearney. Mr. Dietrich also appointed H. C. Lindsay as confidential amanensis. Lindsay is a graduate of the industrial school at Kearney. Mr. Dietrich also appointed H. C. Lindsay as confidential amanensis.

The Wymore Brokerage company, which is a local branch of the Penny Commission company of Omaha, closed up yesterday, the cause, as given out by the manager, H. E. Branham, being that speculators who were doing their trading and making settlements afterward had failed to make good their accounts when the slump in the stock market caught them long. The amounts lost in this manner are said to be much smaller than they were a year or so ago. The local speculators refused to make good their losses, which were several thousand dollars.

USE X-RAY EVIDENCE. FREMONT, Neb., Nov. 22.—(Special).—The case of Broder Hanson against the Fremont Brewing company, which has been on trial in the district court for the last two days, is the first one tried in this county in which X-ray evidence was used. Hanson sued the company for \$10,000 damages, which he alleges he sustained by a large iron tank falling upon him and injuring his right leg so that he is unable to walk without the aid of two canes or a crutch. Yesterday, by order of the court, he submitted himself to an examination by Dr. Haslam. The X-rays were applied to his injured foot and it could be plainly seen that the bones which had been broken by the accident were knit together. The case has been hotly contested on both sides and it is thought it will take the jury some time to arrive at a verdict.

JURY FINDS NATION GUILTY. PLATTSBURGH, Neb., Nov. 22.—(Special).—The trial of William Nation, the man who made so many unsuccessful attempts to escape from the Cass county jail, occupied the time of the district court here today. The jury brought in a verdict of guilty, as charged. Nation was charged with robbing a store in Murray and was afterward arrested in Nebraska City, where he was trying to dispose of some of the booty and shoot his way out. The case of the state against Victor DuBois was then called. He is charged with robbing the Ole Oleon store in Weeping Water.

ASTORIA INMATE KILLED BY TRAIN. HASTINGS, Neb., Nov. 22.—(Special Telegram).—John S. King, an inmate of the Asylum for Incurable Insane at this place, met death this morning while walking on the Missouri Pacific railroad track. King was 58 years old and came to the asylum from Red Willow county ten years ago and for many years had been on parole. This morning he started walking east on the track and had just arrived at a large row when the easting Missouri Pacific passenger came upon him. It being foggy and the engineer failing to see him in time, he was struck by the cowcatcher and injured so badly that he died a short time after the accident.

DROVE THE COWS BACK HOME. MADISON, Neb., Nov. 22.—(Special).—Rolla Lewis was given a sentence of fifteen months for labor this morning by Judge Conner for stealing three head of cattle at Meadow Grove. When arraigned he pleaded not guilty, but his plea was changed to guilty this morning and a plea for clemency was made by his attorneys and by the state's. The cattle were stolen from a farm near this place. Duell, Lewis was accused of doing the stealing and, when pushed, returned the cattle to their owners.

MASSOY UNDER TIME LIMIT. LEKINGTON, Neb., Nov. 22.—(Special).—At a regular convocation of Tyrian chapter No. 29, Royal Arch Masons of this city, held last evening, the following officers were elected for the ensuing year: High priest, Henry A. Turton; king, Benjamin F. Krier; scribe, Frank H. Adams; treasurer, Nicholas Hanson; secretary, Walter H. Andrews.

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Mrs. G. A. Fryer and her son Harry have started the Datsy rabbitry and have a number of fine Belgian hares, with "Teddy," who has a good, long pedigree, at his head.

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HANNA SENDS COMPLIMENTS. YORK, Neb., Nov. 22.—(Special).—Dave Brakeman, one of York's business men, was so elated over Nebraska going republican that he wrote a congratulatory letter to Senator Hanna. Mr. Brakeman is now the proud possessor of a fine cabinet photograph of the senator, with his autograph at the bottom sent by the O'Brien with a letter giving praise to Nebraska republicans.

BEHAVIOR NECESSitates CHANGE. BELVIDERE, Neb., Nov. 22.—(Special).—Rev. Oscar Sweeney of Eldorado, Mo., has been secured as principal of the schools here. Prof. Moorehouse having resigned on account of illness. The teachers of the schools here seem very unfortunate in the matter of sickness. The wife of B. D. Hill, a teacher in the primary department, died last week, and the mother of Mrs. C. D. Cramer is very low.

RUNAWAY RESULTS FATAI. STROMSBURG, Neb., Nov. 22.—(Special).—A runaway accident this morning resulted in the death of the 13-year-old son of P. E. Ludwig, a farmer living near this place. The boy was holding a team of colts for his father when they became unmanageable and started to run. The buggy tongue struck the boy in the chest and killed him instantly.

FEDERATION PLEDGE. WATERLOO, Neb., Nov. 22.—(Special).—One of the prettiest home weddings that ever occurred in Waterloo took place at the home of Mr. and Mrs. John Pederson at noon yesterday. Miss Bergetta, the

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Reorganization? Oh, that's all nonsense. There's nothing in it, and it will blow over in thirty days. It is precipitated by those who desert to the enemy and give aid and comfort to the enemy and does not represent the strength of the party. What they would do is to adopt all the policies of the republican government. What they would do is to adopt all the policies of the republican government. What they would do is to adopt all the policies of the republican government.

The directors subsequently met and elected the following officers: Frank B. Noyes, Washington Star; Charles W. Knapp, St. Louis Republic; Victor F. Lawson, Chicago Record and Chicago Daily News; Stephen O'Mara, Boston Journal; Albert J. Barr, Pittsburgh Post; Harvey W. Scott, Portland Oregonian and Portland Telegram; George Thompson, St. Paul Daily News; W. M. McLean, Philadelphia Evening Bulletin; Don C. Seitz, New York World; Herman Ridder, New York Staats Zeitung; Thomas G. Rapier, New Orleans Picayune; Charles P. Taft, Cincinnati Times-Star; Charles E. Grasty, Baltimore Evening News; Walter Reid, New York Tribune; M. H. DeYoung, San Francisco Chronicle.

NEW Naval Terror Launched. BOSTON, Nov. 22.—The torpedo boat Blakely, which with the De Long of equal tonnage, is the largest torpedo boat ever built under construction at the navy yard, was launched today. The ship is 110 feet long, 14 feet wide, and 6 feet deep. She is armed with four 18-inch torpedoes and has a maximum speed of 30 knots. The launch was a grand affair, with a large attendance of spectators and dignitaries.

STICKS ON SANDY HOOK SPIT. After Passage Marked by Hi-Lock. Related Steamer Kaiser Wilhelm Der Grosse Goes Aground.

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Outside the bar Dennis Reardon, on Sandy Hook spit, boarded the vessel. On being under way he headed for the steamer, but the sharp angle of the channel, ran into the mud, later in backing off it fouled a spar buoy and it is supposed that the chain wound around the propeller as the vessel stopped and was unable to move. Two wrecking steamers went to its assistance, but the captain and pilot thought the tug were not able to tow the vessel in. A diver's service will be used tomorrow morning to ascertain the exact condition before any attempt is made to move it.

When it was learned that the Kaiser Wilhelm Der Grosse was grounded in the lower bay, the deputy health officer, Dr. E. B. Sanborn, went with the revenue cutter to the steamer and examined the passengers and granted pratique. The Kaiser Wilhelm Der Grosse has on board 325 saloon, 328 second cabin and 673 steerage passengers. The passengers did not appear to be in any danger and they were all returned to the vessel. The revenue cutter put on board a number of inspectors and some other men were looking for friends and then returned to the city. When the cutter left the two wrecking tugs were lying near to render any assistance necessary.

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PARITY OF OUR CURRENCY

United States Treasurer Roberts Calls Attention to the Enormous Increase in Gold Coin.

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Against the remote danger that the revenue should fall below the outlay, Mr. Roberts said, a safeguard has been set up in the provision that in case the gold reserve should be reduced below \$100,000,000, if it can be sold to the public to restore it to the full sum of \$100,000,000. The key-stone parity, he said, is the United States bank notes. With them the treasury notes are classed as legal tenders and redeemable

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ARE YOUR KIDNEYS WEAK?

Weak or Diseased Kidneys Poison the Blood, Break Down the Entire System and Bring on Bright's Disease.

To Prove what the Great Kidney Remedy, Swamp Root, Will Do for YOU, all our Readers May Have a Sample Bottle Sent Absolutely Free by Mail.



It stands for twenty-four hours. If upon examination you find any settlements or sediment, if it is milky or cloudy, or if particles float about in it, disease has gotten a foothold in your kidneys and Nature is calling for help.

Do you know what happens to a sewer when it becomes clogged, don't you? Do you know what happens to the human system when the kidneys become clogged? They are unable to throw out the impurities from the blood and become infected with poisons, they decay, fall apart and pass out in the urine; the blood, unfiltered, carries the poison all through the system, and if not checked death follows.

When you are sick or "feel badly," the first thing you should do is to afford aid to your kidneys by using Dr. Kilmor's Swamp-Root, the great kidney remedy.

Perhaps you are in doubt about your kidneys and want to find out. Here's a simple test. Take from your urine passed when you arise in the morning about four ounces; place it in a glass bottle and let

in cold. By the new law the latter are to give place to silver certificates. As they are depreciated, only the United States notes will be a claim against the gold reserve.

PROSPERITY IN IRON TRADE

Steady Flow of Orders Coming to Mills from All Quarters—Contracting for Rails.

CLEVELAND, Nov. 22.—The Iron Trade Review this week will say: One of the surest indications of the wave of prosperity that has been sweeping through the iron trade in the past three weeks is the general depression of anything like a boom. The stream of orders has been so steady from every quarter recently as to suggest the danger that last year's excitement might be repeated. Strong as the situation is from every point of view, it does not mean as yet that the mistakes of 1899 will be repeated. The iron industry is against such repetition; producing capacity is ample for all probable needs, and foreign iron markets are receding, so that the outflow of export steel is likely to be checked.

The past week has given added evidence of healthy activity in all districts and in all lines of production. After several weeks of comparative quiet the steel rail market took on new life. Pittsburgh and Chicago, between them, booked 150,000 tons of rails, including a large order from the Chicago, Burlington & Quincy railroad, of which Pittsburgh secured 70,000 tons. It is probable that 750,000 tons of rails have now been booked for 1901 delivery, and it is known that large additional orders will be placed in the next few weeks.

FIRE RECORD.