LONDON TAKING NEW HOLD

Stock Exchange Likely to Resume Brisk Operations Soon.

PACIFICS SCARE HARD TO GET OVER

Despite New York's Reassuring Quotations Past Week with London Bulls and Bears Has Been Dull.

LONDON, June 2.—All indications point to a rational resumption of business on the London Stock exchange in the near future. There is no reason why this should have been delayed as long as it has, except that London recovers slowly, and therefore the effect of the recent panic has been a week during which transactions have been dicidedly dull.

New York has continued sending higher prices and these were marked up here in a perfunctory fashion, but actual business has been small. Leading critics now point out that the material prospects of the United States which caused the recent advance in stocks are as good as ever and that the "community of interest" campaign, which is essential to the development of the American railway system is certain to cause higher prices.

London's Northern Pacific settlement is now practically complete and money is easy. Home rails are dull and American securities offer the most attractive field for operation. The depression in home rails is due to unfavorable traffic reports, the recent holiday period not bringing the traffic improvement expected. There is considerable foreboding as to home rail dividends at the end of the year.

The decided case in money was due to immense government disbursements and there are confident predictions of an early reduction in the bank rate. The government, however, owing to the large amounts of foreign money which might be withdrawn if money is oversharpened, is cautious.

It is expected that some large holders of consols have been unloading. Recent news from South Africa and the slow, smouldering war embers apparent in that country, check any material advance in these securities.

Rand mines, on the contrary, have advanced and Argentines are looking up on the prospective unification of the national debt. The message of President Roca of the Argentine Republic has been very favorably received.

It is reported that Berlin is investing in Chinese bonds, owing to the clearing of the political atmosphere in the Orient.

HIGHER LEVEL OF PRICES

Wall Street Looks for a Return this Week of Recent Speculative Activity.

NEW YORK, June 2.—Henry Clews, head of the banking house of Henry Clews & Co., says in his weekly financial review:

We have had another week of reactionary movement on the Stock exchange; no more so, however, than might be expected from the extraordinary activity that preceded it. At one stage of the boom the weekly transactions ranged at fully 15,000,000 shares per week, representing a money valuation of about $1,500,000,000. For the last week the sales have aggregated at the rate of about 3,750,000 shares for an unbroken week. This shows a decline of 75 per cent in the volume of shares exchanged, comparing the present with the recent maximum of transactions.

The current weekly sales of 3,750,000 shares are, however, largely above the average of recent years, the range for 1900 having been 2,660,000 shares per week; 1899, 3,360,000 shares, and for 1898, 2,160,000 shares, which shows that the current weekly business is 1,043,000 shares (or nearly 40 per cent) greater than the average weekly sales for the years 1900, 1899 and 1898. It is thus evident that, great as has been the reaction of the last three weeks, yet it is far from having exhausted the vitality and speculative resource of the market.

The staying qualities of the situation are strikingly evident from the comparative stability of prices. There is still some realizing on speculative accounts and not a few conservative operators prefer to satisfy themselves as to the real strength of the market by postponing buying for a time, but selling readily brings out buying with a promptness which shows that the under element of confidence is very strong.

The following prices of twenty-five active railroad stocks, on the eve of the boom, at its culmination and on Tuesday last reveal some striking conditions:

	Nov. 2, 1900.	May 7, 1901.	May 28, 1901.
Baltimore & Ohio	75	112	103
Brooklyn Rapid Transit	60	84	76
Canada Southern	53	73	66
Central of New Jersey	135	156	189
Chesapeake & Ohio	30	50	38
Chicago & Alton	34	47	41
Chicago, Burlington & Q.	127	178	195
Chi., Mil. & St. Paul	116	185	159
Rock Island	108	167	153
Delaware & Hudson	113	178	168
Del., Lack. & Western	175	226	235
Erie	12	42	41
Hocking Valley	36	56	54
Illinois Central	119	144	139
Lake Erie & Western	35	63	57
Louisville & Nashville	75	109	102
Minneapolis & St. Louis	58	92	94
Mo., Kansas & Texas pfd.	32	63	57
Missouri Pacific	55	115	106
New York Central	133	163	156
N. Y., Ontario & Western	22	33	33
Norfolk & Western	37	55	51
St. Louis & Southwestern	15	38	33
Southern Pacific	33	56	48
Texas Pacific	17	51	46
Totals	1,710	2,561	2,414
Average prices	$68.40	$102.44	$96.56

A few days before the November election the prices of these twenty-five representative stocks averaged $68.40 per share. On the day previous to the Northern Pacific panic the prices of these same shares averaged $102.44, showing an average rise in values, during the twenty-nine weeks, of 50 per cent; and, at present, the average price of this group of shares is 5.74 per cent lower than on May 7 and yet 41.7 per cent higher than on November 2, 1900. These comparisons show very strikingly how little prices have thus far been affected by the recent immense liquidations and how widely, in spite of those realizations, values range above a three years' normal level.

Such an array of facts has no parallel in the history of Wall street's many great crises. The causes paving the way for the great advance had been long preparing, but were unnoticed and without effect on either investors or speculators, and now that the unequalled rise has come and has suffered the attack of an unprecedented strain on confidence, the downward reaction in values is only some 5 per cent, the tension has steadily relaxed, and among the banks and the great commission houses there seems to be confidence enough to support a revival of the movement which has shown such extraordinary strength.

The resumption of speculation, however, is now evidently forthcoming, especially as there are no signs of any spirited attempt to force a backward movement in prices. The bears are few and timid and find short sales dangerous. The strong undertone of confidence is the controlling factor, but no extravagant bull movement is likely to be undertaken at present, because the trained operators are willing to bide their time, and feel satisfied that, in the fall, there will be a great revival of the speculative spirit, which will be inspired by a fine season's business and the harvesting of crops, and then the country will have had its confidence confirmed in the new scale of prices, all the conditions thus being then forthcoming for a return of the boom to about the phase in which the May panic found it. This, at least, appears to be the conclusion to which a majority of the speculative element is wending its way.

Favorable factors in the situation: 1. The supreme court decision in the Porto Rico case. 2. Cuba's acceptance of the terms for the island's government. 3. The final settlement of the London shorts in the Northern Pacific corner, which removes the Northern Pacific menace from both the London and New York markets. 4. The settlement of many of the threatened strikes. 5. J. P. Morgan's early return. He will leave for home next week; his return will improve the steel stocks. He will also meet his adversaries and harmonize them; as a matter of fact, the differences heretofore existing between them are already settled and the various parties are again on friendly terms. The outlook for the coming week is for a more active market and a higher level of prices.

FAILS TO AFFECT BOURSE

German Financiers Disappointed in Result of Announcement of Withdrawal from China.

BERLIN, June 2.—It is a significant fact that the announcement of the withdrawal of the allied troops from China, which the bourse had long expected would give an impetus to business, was almost wholly without influence on trading last week. Its only effect was to increase dealings in Chinese loans at rising quotations.

In all departments the bourse had a very bad week, with lower quotations everywhere. The causes were the unsatisfactory reports from the iron centers and the general industrial situation. In addition to these factors, the small offer made by the Swiss government for the stock of the Swiss Northeastern railway preparatory to the nationalization of the line, against which the foreign stockholders are vigorously protesting, had a depressing effect.

The weakest spot in the market was the iron section, due chiefly to the fact that the quarterly report of the Laura works showed 436,000 marks less earnings than reported for the corresponding period of last year. The discouraging comments of the directors increased the weakness of this department. All iron shares fell off, the declines in some instances reaching seven points.

The pig iron syndicate is trying to stave off price declines and is offering to make a year's extension of delivery on old contracts, provided customers pledge themselves not to buy foreign iron. Nevertheless, English pig is selling in Germany at 30 marks below the syndicate prices, causing an expectation that the syndicate will make large reductions. The general industrial situation is regarded as less favorable.

The greatest optimists must now admit, says the Vossische Zeitung today, that our business has entered upon an actual crisis.

The mortgage bank scandal continues to cause a depressing influence, shares of the Mecklenburg-Strelitz and Pomeranian banks have been the subject of lively speculation and fluctuated violently. First-class banks continue to buy the obligations of the Pomeranian bank, but the market for other mortgage bank obligations is dull. Speaking generally, bank stock is declining. Government loans are stagnant. Italians, however, were firmer throughout the week, but Spaniards weaker.

Canadian Pacifics developed strength upon the increased earnings, but Northern Pacifics were neglected. The Prussian government has ordered 305 locomotives at an aggregate cost of 17,500,000 marks.

The Reichanzieger announces that the substitution of bonds for the scrip of the new German loan will begin tomorrow.

Bank of Spain.

MADRID, June 2.—The report of the Bank of Spain for the week ended yesterday shows the following changes: Gold in hand, increase, 10,000 pesetas; silver in hand, increase, 3,659,000 pesetas; notes in circulation, decrease, 2,809,000 pesetas. Spanish 4s closed yesterday at 80.50. Gold quotation was 37.30.

Buenos Ayres Gold.

BUENOS AYRES, June 2.—The gold quotation here today was 133.70.

Cycling has its ups and downs. After the downs, use Banner Salve if you're cut or bruised. It heals the hurt quickly. Take no substitutes.

MINING IN THE BLACK HILLS

Maloney Blue Lead Copper Company Surveying Site for New Smelter.

NARROW GUAGE ROADS BEING BUILT

Stamp Mill at Grizzly Bear to Start Up—Lemars, Ia., Company Begins Another Shaft at Lizzie Mine.

DEADWOOD, S. D., June 2.—(Special.)—The Maloney Blue Lead Copper company is surveying a site for a fifty-ton smelter, to be erected at Sheridan, seven miles east of Hill City, in Pennington county. The Blue Lead copper mine is one of the oldest copper propositions in the Black Hills, having been open for nearly a quarter of a century. The outcropping of copper ore on the surface of the ledge is enormous and the rock carries an average of 7 per cent copper. The company has stripped the ledge for a long distance and shafts have been sunk at intervals, which have demonstrated that the ore is good to a depth of fifty to seventy-five feet. At those depths an ash bed occurs which is barren of copper value. The theory is that the copper has simply leached out. A tunnel is being run at the present time near the water level in the expectation of striking the main ledge of copper ore beneath the ash deposit. There yet remains but a short distance till the tunnel is completed.

There are thousands of tons of good copper ore blocked out above the ash bed and the smelter will be erected whether the ledge is encountered below or not. The ledge will average twenty feet in width where it has been opened by the shafts. R. M. Maloney of this city organized the company. The rock through which the tunnel has been excavated has been so hard that only a foot a day has been bored with double shifts, using air drills. This tunnel will be about 1,500 feet long when completed, and should the ledge of ore be encountered again one of the greatest copper mines that the world has ever known will be the result. The property has been examined by a great many of the best copper experts of the country and their reports have invariably been in favor of the proposition.

Makes a Mine of Gold.

Similar conditions on the surface are found in the copper district west of Rochford five miles, where several Michigan companies are operating extensively. The Black Hills Copper company of Benton Harbor, Mich., has made a mine of copper and gold ore within the last few months. An incline shaft has been put down on a ledge of ore 500 feet and values sufficiently large to pay have been found. The shaft will now be sunk to the 1,000-foot level. It is stated that the company is already planning to put in a smelter this season. The ledge of ore outcropped at the surface similar to that of the blue lead mine.

This city will receive an increase in business as soon as the railroads are completed into the Galena, Strawberry and Two Bit districts. The decision of the National Mining company to erect a smelter this season started both of the railway companies that enter the Hills to building narrow-gauge roads into those districts east of this city. It is estimated that when all of the old mines are started up in these camps that 400 to 600 tons of ore will be mined and shipped daily. Deadwood will be the natural supply point for the districts. About 100 tons of ore will be mined daily from the Bullion mine, which is now owned by the National company. The Oro Fino mine will likely be started up again, as well as the Dakota Maid and Gilt Edge mines. The Hardin companies will take advantage of railroad facilities and shipments will be made again to the Deadwood smelter. The probability is that the Hardins will erect a large smelter of their own this summer on Redwater.

The Belt Development company of Colorado Springs, will put in pumps at the shaft on the Homestake belt. Water has become troublesome lately. A shipment of machinery is to be made this week from Denver.

New Hoisting Plant.

A complete hoisting plant, with pumps, has been brought by the University company from Denver, and the plant will be installed at the Yerxa mine, on Spring creek. A new shaft has been started a short distance from the ore shoot, which dips to the east. The company has let a contract for 50,000 feet of lumber, to be sawed at the mine. The ore runs from $7 to $66 per ton gold, being a free-milling proposition. The company has acquired six mining claims on the north fork of Lightning creek, west of Custer, which will be added to the other properties of the company. There is a four-foot ledge of free-milling ore on this ground that averages at the surface about $6 per ton gold. This group of claims will be developed this summer. As soon as the new hoist is in the force of men will be doubled. The stock in this company is held mostly in the eastern part of this state.

The stamp mill at the Grizzly Bear mine, south of Keystone, is being repaired and will be started up as soon as possible on a new body of free-milling ore that has beeen discovered in the old mine. A new company has purchased the property. It was worked years ago profitably.

James Terry and associates of Central City and Terraville have leased the old Hildebrand stamp mill at Central City, which will be opened by them and operated on their own ore. There is a cyanide annex, the entire plant having a daily capacity of thirty tons of ore.

The contract for the erection of the 200-ton cyanide plant in this city, by the Golden Reward company, will be let this week. Work will be commenced immediately. Plans for the new fifty-ton cyanide plant in the Yellow Creek district have been completed for the Alta Mining company, and ground will be broken next month for the plant. The Hidden Fortune company will break ground for the stamp mill and cyanide plant at Belle Fourche in June. During the summer a shaft is to be started at the center of the old base ball park, in the North Lead district. A tunnel has been commenced on the Poorman side of the property. It will require one year to complete the reduction works of the company and by that time, it is expected that ore will have been found at the mine.

Collins Ground is Sold.

H. E. Perkins of Sturgis has bought the Collins ground in the Bear Butte district for $15,000, and a second transaction was made for the controlling interest in the Bion mine and the Spring Run placer. It is understood that the Burlington Railway company figured in the deal.

August Roesler of New York City has a bond on the Benedict mine, in the Hornblende mining district. A shaft has been sunk 200 feet and crosscuts have been run east and west for 300 feet, all in ore that free-mills about $5 per ton gold. It is estimated that there is $200,000 worth of ore blocked out. Thomas Gallagher of Denver has developed the property. The shaft at the Yellow Bird mine is down 150 feet on a solid ledge of ore, twelve feet wide, that averages about $11 per ton gold. The ledges of ore in this district are very strong and the camp has great possibilities.

The Ida Florence mine, near Keystone, has been bonded by Milwaukee people, and the shaft will be sunk to the 300-foot level. The mine is owned by David Sisk of Keystone and it shows good values in a strong ledge of ore. The Ivanhoe company will soon resume work at the Chillkoot mine, in the same district. It is owned by Council Bluffs people.

The Willow Creek Mining company of Lemars, Ia., has commenced sinking a new shaft at the Lizzie mine, east of Custer. It is to be sunk 800 feet deep.

DRIFTING TOWARD INEBRIETY.

Astounding Statements Made by a Quaker Temperance Lecturer.

Joshua L. Baily, president of the National Temperance Society of Friends, declared before a large audience in Philadelphia the other evening that "if there is any one feature of the drinking custom which at this time is occasion for alarm it is the appalling increase of inebriety among women."

"I was told a few days since by a pupil of one of our most fashionable young ladies' seminaries," continued Mr. Baily, "that their principal, in counseling them to avoid extremes, declared that it was just as vulgar to be a total abstainer as it was to drink to excess; that one was indication of a weak character just as much as the other. What must be expected as the results of such tuition, when these young girls enter society and become members of the fashionable set?

"Intemperance among fashionable women, as I have learned from some of their own class, is much more observable, even in Philadelphia, than it was some years ago. In New York a social leader, who refused to allow her name to be used because of her family connections and her personal relations to the '400,' says that the drinking evil among women of the highest circles has reached an alarming state.

"It is nothing unusual, she declared, to see in leading hotels and cafes beautiful and handsomely dressed women of Fifth avenue absolutely pouring down cocktails and other mixed drinks. Nor is New York the only American city where such conditions exist. Workers of the Woman's Christian Temperance union of Chicago report finding hundreds of women drinking in the saloons at all hours of the night.

"The increased use of liquor among women is a sad but generally admitted fact in Great Britain. Dr. Haywood Smith, a noted English specialist, furnishes facts and figures to prove that British women are drifting toward inebriety. He asserts that the vice is increasing with greater rapidity among the rich and well-to-do women than among those of the lower strata of society. He adds: 'In this so-called upper class drunkenness is epidemic.'

"I have long believed, and each year strengthens my conviction, that the drinking customs of society stand more than any other impediment in the way of all moral, social, industrial and religious progress."

A MOUSE DID IT.

Clever Ruse Exposed a Woman's Pretending Blindness.

A leading oculist of Montreal, whose practice extends far outside the boundaries of the city, relates that one day a young woman came into his office accompanied by an older woman, apparently the mother. The young woman wore colored glasses, which one might have assumed to be superfluous, as it was claimed that the girl was totally blind. What was wanted of the doctor was a certificate authenticating this claim of blindness, putting it beyond dispute, and it was frankly stated that the object in seeking this was to obtain certain aids and advantages of a philanthropic nature, impossible of access otherwise. The standing of the oculist was such that a statement from him would carry full weight wherever presented.

On examination the surface of the eyes gave no indication of any defect, but that might be so and blindness still exist. Applying tests of the strongest light, the girl professed herself to be absolutely unable to distinguish between light and darkness. Other tests were resorted to, trying in their nature, and some of them very painful, and these were all borne with patience and courage. The doctor was puzzled and baffled. Apparently the girl was stone blind, but he was unable to solve the problem of those eyes, to discover the cause of that blindness or say just where the defect lay.

The doctor was more than half disposed to grant the desired certificate, when, as a last expedient, he hit upon a novel experiment. He dismissed his patient with instructions that she should come again at a certain hour the following day and this gave the oculist time to arrange for the carrying out of his plan. When the girl came the next day the doctor had her securely blindfolded with a heavy bandage over her eyes. He then took a tiny mouse which he had procured and held the lively little thing by its tail before the girl's face, though not touching her, while he ordered the bandage to be removed. No sooner was the bandage off than her screams rang through the place and her eyes were wide with terror at the harmless little rodent which had thrown her so completely off her guard and exposed the imposture. Of course she saw it or she would not have screamed. Needless to say the applicant did not get that certificate.

SALVATIONISTS MAY UNITE

Prospect of Volunteers of America Joining the Older Organization.

BOOTHS, FATHER AND SON, TO EMBRACE

Officer of the Army Says Secret Negotiations Are Now in Progress Looking to Reconciliation of the Estranged.

CLEVELAND, June 3.—The Leader tomorrow will say: I. D. Hazard, financial secretary of the colonization and social settlement department of the Salvation Army, is authority for the statement that secret negotiations are being carried on looking to a reconciliation between General William Booth and his son, Ballington. Father and son have been estranged for five years, the son having in the meantime organized the Volunteers of America. The cause of the estrangement, according to Mr. Hazard, was the refusal of Ballington Booth to submit to the order of transfer from the United States to Canada. If the reconciliation is effected it will mean Ballington's return to the Salvation Army and probably result in the abolishment of the Volunteers of America and its affiliation with the Salvation Army.

SUPREME COURT SYLLABI.

No. 9612. Reynolds against Phillips. Error from Gage county. Reversed with directions. Ames, C.

1. When a cause is submitted to the court without oral argument and upon the brief of the appellant or plaintiff in error alone, the record will not ordinarily be critically examined, but its contents will be presumed to be as they are represented to be in the brief.

2. In an action upon an alleged promissory note, purporting to have been executed by the agent of the maker, in which action one of the matters in dispute is the authority of the agent in the premises, it is error to admit in evidence, over objection, a letter apparently written by the maker and recognizing the existence and validity of the note but which is not signed otherwise than by the impression thereon of the maker's name by the means of a rubber stamp, without evidence as respects by whom or by what authority the stamp was affixed.

No. 9613. Union National Bank against Touzalin Improvement Company. Appeal from Gage county. Affirmed. Sedgwick, C.

1. A party will not be heard to complain in this court of the action of the lower court in the trial of a civil cause if the action of the court was by the mutual agreement of the parties to the suit.

2. Affidavits for continuance in the trial court not included in the bill of exceptions will not be considered in this court.

3. Evidence examined and found to support the decree of the trial court.

No. 9617. Newton against Walker. Error from Gage county. Affirmed. Hastings, C.

1. Plaintiff's duly authorized attorney having gone to trial without objections or exception, so far as appears from the record, and having after the hearing of evidence submitted the case to a jury all in the absence of plaintiff, the latter cannot as a matter of right claim the privilege of a new trial because of any failure on his part to be present.

2. Affidavits cannot be considered unless made part of bill of exceptions and covered by its certificate. Gray against Godfrey, 43 Neb. 672.

No. 9625. Matteson against Smith. Appeal from Clay county. Affirmed. Sullivan, J.

A deed or other similar instrument placed in the hands of a third person for delivery to the grantee when he shall perform some condition is not legally effective, but is a mere nullity, if delivered by the depositary, or obtained from him in any way, without full compliance with the condition specified. 2. The evidence examined and found to warrant a judgment enjoining the registration of a mortgage released, claimed to have been delivered as an escrow.

No. 9645. Chicago, Burlington & Quincy against Burns. Error from Douglas county. Affirmed. Holcomb, J.

The giving and acceptance of an order, bill of exchange or promissory note for a prior indebtedness will not be regarded as payment, unless there be an express agreement between the parties to that effect. 2. An order or "pay check" drawn by a paymaster of a railroad company on the assistant treasurer, in favor of an employe, is not drawn against a third party, but on the party from whom the debt for which the "pay check" is given is due. 3. A "pay check" given to an employe of a railroad company by the paymaster, drawn on the assistant treasurer and made payable at different banks therein mentioned, is not a check on either of the banks as by a depositor therein. Such check is made payable at the bank specified and not by the bank, and the company, not the bank, is the drawee. 4. Where the payee of a "pay check," drawn to him or his order, is robbed of it and his endorsement forged thereon and payment made to an unauthorized holder, the payee may, notwithstanding such payment, recover from the drawee the amount due him, as evidenced by the order. 5. The drawee sought to escape liability of payment to the payee on the ground of his alleged negligence. Held, first, as a question of fact, a finding in favor of the plaintiff would not be disturbed, and, second, the unlawful possession of the holder of the order and receiving payment on the forged endorsement, being the result or fruit of a crime, the defendant could not predicate an estoppel by negligence therein, unless it appears that the negligence is the proximate cause of the forgery being taken as genuine.

No. 10382. Kellog Company against Horkey. Error from Knox county. Reversed. Norval, C. J.

When goods obtained by fraud have been mortgaged by the fraudulent vendee to secure a present indebtedness, to a mortgagee, in good faith, without notice of such fraud, the latter stands in the position of an innocent and bona fide purchaser of property from a fraudulent vendee, but to the extent of the martgaged debt only. 2. Where a mortgagee of chattels receives notice of the rescission of a fraudulent sale, before a sale of the property included in his mortgage, it is his duty, if there be also included in the mortgaged goods not involved in such fraudulent sale to sell the latter before having recourse to those claimed by the vendor.

No. 11804. Armstrong against Mayer. Error from Lancaster county. Affirmed. Hastings, C.

Objections to a bill of exceptions cannot be heard from a party asking an affirmance of a judgment expressly based upon it. 2. An assignment of error in not dismissing an action "because neither said complaint nor said summons stated facts sufficient to constitute a cause of action" cannot be sustained if the complaint was sufficient. Spirk against Chicago, Burlington & Quincy Railroad company, 57 Nebraska, 565. 3. The complaint in this cause found to state a cause of action. 4. The admission of an unstamped instrument in a trial without the intervention of a jury, there being sufficient evidence to sustain the judgment aside from such instrument, is not prejudicial in any event and calls for no ruling as to the effect of the United States revenue law of 1898.

No. 11977. In re Application of John Walker for a Writ of Habeas Corpus. Writ denied. Holcomb, J.

1. A prisoner held under a process in due form issued upon a judgment cannot obtain his discharge by habeas corpus unless the judgment is void and not merely voidable.

2. A suit against the putative father for the maintenance of his illegitimate child is essentially a civil action, accompanied by the extraordinary remedy of arrest and imprisonment for the purpose of enforcing a judgment rendered in the case.

3. A bastardy act is an exercise of the police power of the state, the object of which is to requ're the putative father, in compliance with his moral obligation, to furnish support "or his child and indemnify the public against liability for its care and maintenance.

4. A justice of the peace obtains jurisdiction over a defendant under the act in question by the filing of the statutory complaint, duly verified; the issuance of a warrant for the arrest of the defendant and its execution, the execution of the process serving the same office as the service of a summons in an ordinary civil action.

5. In a proceeding under the bastardy act the district court acquires jurisdiction by the filing of the transcript of the proceedings had before the justice of the peace, based on a proper complaint, arrest of the accused and order requiring him to appear before the district court for trial. (Alschuler against Algaza, 16 Neb. 631.)

6. The district court having acquired jurisdiction by the filing of a transcript of the proceedings had before a justice of the peace is empowered to try the case and render judgment, even though the defendant be not personally present.

7. Where a defendant fails to appear in the district court, in pursuance to an order made at the preliminary inquiry had before a justice of the peace and enters no plea to the complaint, a trial may be had to the court without the aid of a jury provided for by section 3 to try the issue on a plea of not guilty.

8. The failure to empanel a jury to try the issue would not go to the jurisdiction of the court, but at most render the judgment erroneous, the correction of which could not be had by proceedings in habeas corpus.

9. A defendant brought to this state on requisition, in good faith, and not as a pretext or device to serve some ulterior purpose, may be prosecuted on any other charge of violating the laws of the state or for civil liability or obligation resting upon him, and is not exempt from service of process until a reasonable time elapse in which to return to the state from which he was brought under the requisition.

10. A defendant brought into the jurisdiction of the courts of this state on requisition from another state is not entitled to immunity from service of process, civil or criminal, until a reasonable time elapse in which to withdraw from the jurisdiction, such as is ordinarily extended to suitors and witnesses whose attendance at court is voluntary.

No. 11916. Hickson against State. Error from Cass county. Affirmed. Sullivan, J.

1. An instrument in the following form is the subject of forgery: "Mr. Sage: Please let this boy have a single rig, a good one, and oblige. I will bring it back myself. (Signed) George Clinger."

2. Such instrument is not only an order or request for the delivery of chattels over which Clinger had no control, but is also a writing obligatory within the meaning of section 145 of the Criminal Code.

Pensive.

Detroit Journal: "When our author speaks of the pensive girl," explained the instructor, "he means that she is thoughtful."

And the foreigner learning English, pausing only long enough to make sure of his dialect, exclaimed:

"Ah, je see! And ze thoughtless girl, ees she accordingly expensive, aber nit, pourquoi?"

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COUNTY OFFICIAL NOTICES.

ATTENTION, TAXPAYERS!

The Board of County Commissioners of Douglas county, Nebraska, will sit as a board of equalization for the purpose of equalizing the assessment of Douglas county for the year 1901 in the commissioner's chamber at the court house, Omaha, beginning Tuesday, June 11, 1901, at 10 o'clock a. m., and continuing from day to day up to and including June 27, 1901 (15 days, not including Sundays). All persons owning real or personal property subject to taxation should call and examine their assessment, that any errors as to valuation may be adjusted by said board, as the law provides.

By order of the Board of County Commissioners.

Omaha, May 25, 1901.

D. M. HAVERLY, County Clerk. By C. L. HARRIS, Deputy.

May27 d21t

Dr. McGrew, Specialist

26 years experience—15 years in Omaha.

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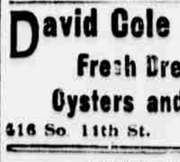

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Tim Ormsby, Sage

Gets Close to Nature's Heart at the City Parks.

Tim Ormsby, resplendent in a new straw hat with a dent in the crown, was on a street car riding in from the park. It so altered his appearance that one had to look twice to recognize him.

"Well," he said severely, "do I look like I wanted to borrow money? No? Then get busy with your handshake. They don't none of your friends on this car know I'm a hasher at the city jail. Oh, it ain't the lid that changes me, it's 'cause you ain't never seen me out of that bean kiln before. Naw, if you was found on the street dead, and nobody knowed you, and they'd send for me, I'd look in your vest pocket the first thing for a bunch o' them soft lead pencils, an' then I'd look for the mokin's, an' if I don't find 'em I'd say, 'This looks a lot like a newspaper friend o' mine, but 'tain't him.'

"Say, was I tellin' you 'bout my boarding house? It's a ——"

"I'm not interested in your boarding house, Tim," his friend interrupted. "Tell me about the park. Which park do you like best? You know them all, of course."

"I've got 'em dead to rights. I've got 'em pulled in, strung and hung over the side of the boat."

"Well, which one is your favorite?"

"Oh, of course it's a case o' drop yer coin and take your choice. The parks is a good deal like the theaters. There's Riverview, with its animals that books the juvenils, the Lilly-what-d'ye-call-'em? Yes, the Lilly Pewtions. Then, there's Krug's park that's a smoke-if-you-like sort of place; Manawa is a high-priced legit and Hanscom is a continuous ten, twent, thirt.

"But speakin' of my boarding house, it's one o' them kind where you take out a block of stock for two-fifty, and the old lady clips a coupon for every meal. There's a lot o' laundry queens and ribbon counter——"

"You haven't said yet which park you like best."

Tim seemed to be annoyed.

"Say, do I have to chloroform you an' put you to bed before you'll keep still!" he exclaimed. "If you want to deliver this lecture come up and get on the platform and I'll disappear in the wings. As I was saying, when I was a kid, one of them little Wrong Fontleroys, with curls and freckels, my ol' man wants to find out what kind of a graft I'm goin' to freeze to when I'm growed up, so he gets generous, cops out three chums of mine an' gives 'em six bits, twenty-five markees to each one of 'em, and I don't get nothin,' see? Well, then he hides out behind the hen house an' watches us. I ain't onto his game, but I needs the money, so I swings on one o' the kids and swipes his two bits.

"Well, sir, the ol' man pops up from behind the hennery an' nabs me. Course I'm expectin' the merry tattoo, but I don't get it. No, sir. He takes me in his arms an' wipes the wet out of his lamps an' says: 'My son, this is the proudest day o' my life. I was 'feered you'd try to pick their pockets or work the short change racket on 'em, an' if you'd done that you'd a broke the ol' man's heart. But the way you upper-cuts that kid an' then takes the dough away from him is good fer sore eyes, an' I knows now, Timmie, that yer goin' to be a highwayman. That's the only honest graft these days,' he says, 'and I hopes you'll never stick up a cripple er take money off a workin' woman.'

"I guess that's the only time I ever made the dear ol' man happy. What would he think if he was to see me now, swabbin' platters in Mister Donahue's chop house!

"That reminds me of my boording house—"

Tim drew up his walking stick as if about to strike, and watched me until all danger of an interruption had passed.

"My boarding house—"

Again he suspended the club, and looked ugly.

"That