mixed and butchers, \$5.75/16.25; good to choice heavy, \$5.25/16.59; rough heavy, \$5.80 (19.60); light, \$6.09(5.70; bulk of sales, \$5.75 (26.35).

SHEEP AND LAMBS — Receipts, \$.600 head; sheep and lambs, active and 10/9/25c higher; good to choice wethers, \$3.69(1.25; fair to choice mixed, \$2.80(3.50) western sheep, fed, \$3.00(4.06; native lambs, \$2.50(9.50).

Official yesterday: Receipts—Cattle, 15.358 head; hogs, \$2.427 head; sheep, 12.239 head. Shipments—Cattle, 2,915 head; hogs, 2,562 head; sheep, none.

434c.
BONDS—Government, irregular; state, inactive; railroad, irregular.
The closing quotations on bonds are as follows: LIVERPOOL, Dec. 24.—WHEAT—Spot, No. 2 red, weatern, winter, firm, 6s 24; No. 1 porthern, spring, firm, 6s 24; No. 1 California, firm, 6s 4d; futures, quiet; March, 6s 34;d; May, 6s 34;d.

CORN—Spot, firm; American mixed, 5s 34;d; futures, quiet; Jaffuary, 5s 34;d; Mirch, 5s 43;d; May, 5s 43;d.

PEAS—Canadian, strong at 7s.
FLOUR—Firm at 7s 9d.

HOPS—At London (Pacific coast), £3 3s@ £3 13s.

Kansas City Grain and Provisions.

KANSAS CITY, Dec. 24.—WHEAT—May. Solic: cash. No. 2 hard, 761/4781/4c; No. 3, 761/477c; No. 2 red. 871/488c; No. 3, 851/48 861/4c; No. 2 spring, 740/56; No. 2, 73/3741/4c; CORN—December, 683/4c; January, 681/4c; Solic; May. 681/4c; cash. No. 2 mixed, 671/48 681/4c; No. 2 white, 683/4c; No. 3, 673/486c.
OATS—No. 2 white, 483/49/4c.
RYE—No. 2, 66c.
HAY—Choices timothy, \$13.50; choice prairie, \$13.75/614.00.

BUTTER—Creamery, 18/422c; dairy, fancy, 18c.

EGGS—Lower and weak; still further decline looked for if mild weather continues; fresh Missouri and Kansas stock quoted on 'change at 19c doz., loss off, cases returned. Philadelphia Produce Market. PHILADELPHIA. Dec. 24.—BUTTER—Firm, fair demand; fancy western creamery, 254-6526c; fancy nearby prints, 29c. EGGS—Steady; fresh nearby, 30c; fresh western, 30c; fresh southwestern, 29c; fresh southern, 29c.

CHICAGO, Dec. 24.—Following its usual Christmas custom, the directory of the Chicago Board of Trade has declared today and tomorrow holldays on the board.

*Trust receipts. **Bid.

London Stock Quotations. LONDON, Dec. 24.-4 p. m.-Closing: ons., money . 93 15-16 Norfolk & W. 5% Ontario & W

do account Anaconda Atchison do pfd.
Bai & Ohio Canadian Paches & Ohio hicago G. W. M. & St. P. enver & R. G. io pfd. 5% Ontario & W
79% Pennsylvania
103° Reading
104 do 1st pfd
116 do 2d pfd
47% So. Pacific
167% So. Pacific
168% Union Pacific
169% Wabash
141% do pfd
168% Spanish 48
155% Rand Mines
170%

BAR SILVER-Steady at 25%d per ounce, MONEY-3%64 per cent. The rate of discount in the open market for short bills at 31% per cent; for three months bills, 17-16 per cent.

New York Mining Stocks. NEW YORK, Dec. 24.—The following are he closing prices on mining stocks: Adams Con. 20
Alice 45
Breece 45
Breece 75
Brunswick Con 15
Comstok Tun 5
Con. Ca! & Va 150
Deadwood Terra 50
Horn Silver 199
Iron Silver 60
Leadville Con. 5

Cotton Market.

LIVERPOOL, Dec. 24.—COTTON—Spot, moderate business; prices stendy; American middling, 416-32d; the sales of the day were 7,000 bales, of which 200 were for speculation and export and included 6,700 American; recipts, 23,000 bales, including 17,500 American. Futures opened and closed quiet.

American: recipts, 23.000 bales, including 17,500 American. Futures opened and closed quiet.

NEW YORK, Dec. 24.—COTTON—Spot closed quiet; middling uplands, 89-16c; middling gulfiands, 83-16c; sales, 200 bales. Futures closed steady; December, 8.17c; January, 8.18c; February, 8.19c; March, 8.24c; April, 8.28c; May, 8.30c; June, 8.29c; July, 8.31c; August, 8.21c.

NEW ORLEANS, Dec. 24.—COTTON—Steady; sales, 4.350 bales; ordinary, 6%c; good ordinary, 7%c; low middling, 85-16c; middling 81-16c; good middling, 85-16c; middling fair, 83-16c; receipts, 16,639 bales; stock, 348,533 bales, Futures quiet; December, 8.05@8.06c; January, 8.03c; February, 8.05@8.10c; March, 8.13@8.14c; April, 8.15@8.17c; May, 8.19@8.20c; June, 8.20@8.20c; July, 8.23@8.20c; July, 8.23@8.20c; ST, LOUIS, Dec. 24.—COTTON—Steady; middling, 8%c; sales, 150 bales; receipts, 5.572 bales; shipments, 5.762 bales; stock, 51,236 bales.

stock, 348.63 bales. Futures quiet; December, 8.05678.06c; January, 8.06c; February, 8.05678.10c; March, 8.13678.14c; April, 8.1568.17c; May, 8.19678.20c; June, 8.2068.20c; July, 8.2368.20c; J

Evaporated and Dried Fruits.

NEW YORK, Dec. 24.—EVAPORATED APPLES—The market for evaporated apples ruled somewhat firmer, with supply very moderate. State fancy evaporated were ¼½½c higher at 10¼@ile; common were quoted at 6@8½c; prime, 9@9¼c; choice, 9¼@9¾c.

CALIFORNIA DRIED FRUITS—Ruled firmer but quiet. Prunes, 3¼c. Apricots, Royal, 10@14c; Moor Park, 9¼@13c. Peaches, peeled, 16@20c; unpeeled, 7¼@12½c.

Dry Goods Market.

NEW YORK, Dec. 24.—DRY GOODS—To-day's market has ruled quiet in all departments, the usual holiday influence being apparent. There has been no change in prices in any quarter in either cotton or woolen goods, business being without special feature. The tone is very firm.

MANCHESTER, Dec. 24.—DRY GOODS—Cloths firm, with a fair demand. Yarns firm, but not active.

NEW ORLEANS, Dec. 24.—SUGAR—Quiet and easier; open kettle, 29-16@3c; open kettle, centrifugal, 3@3½c; centrifugal, granulated, 31-16c; whites, 311-16@3½c; yellows, 3½@3½c; seconds, 2@3½c. Molasses, quiet; open kettle, 7@21c.

NEW YORK, Dec. 24.—SUGAR—Raw, easy; fair refining, 33-16c; centrifugal, 96 test, 321-32c; molasses sugar, 215-16c. Refined, unsettled.

none, it being Christmas; for December 28 last year, \$1,303,663.91; increase, \$42,855.09. PHILADELPHIA, Dec. 24.—Clearings, \$29,129.496 balances, \$11,972,965; money, 5 per cent.

BALTIMOBE, Dec. 24.—Clearings, \$2,865.792; balances, \$11,872,945; money, 6 per cent.

NEW YORK, Dec. 24.—Clearings, \$2,966.792; balances, \$11,878,514.

BOSTON, Dec. 24.—Clearings, \$23,591,990; balances, \$1,47,107.

ST. LOUIS, Dec. 24.—Clearings, \$2,215,116; balances, \$1,223,244; exchange on New York 100 premium.

CHICAGO, Dec. 24.—Clearings, \$2,215,116; balances, \$1,788,144; posted rates, \$1,844,26; balances, \$1,844,26;

upon the governor the power to appoint members of the board of fire and police commissioners of cities of the metropolitan class. State v. Moores, 55 Neb., 469, over-

class. State v. Moores, 55 Neb., 469, overruled.
No. 12225. Ball against Beaumont. Error
from Perkins. Reversed and remanded,
with directions. Ames, C. Division No. 3.
Reported.

1. When a general denial in an answer is
qualified by the pleading of special defenses in the nature of confession and
avoidance evidence of other defenses of a
like nature is inadmissable, although in
the absence of such pleading such evidence
would have been admissible under the general denial.

2. When in an action in the county court a
general denial in an answer is qualified by

2. When in an action in the county court a general denial in an answer is qualified by the pleading of special defenses in the nature of confession and avoidance, additions to such defenses cannot be introduced by amendment of the answer upon appeal to the district court, although in the absence of such pleading the same matter might have been given in evidence under the general denial.

No. 12267. Ayers against Thurston County. Error from Thurston. Reversed and remanded. Sullivan, J.

1. Where a public corporation, other than a sovereign state, incurs a legal liability, it may, unless otherwise provided by glatute, be sued and a money judgment refovered against it.

Error from Colfax. Reversed and remanded. Albert, C., division No. 3. No. manded. Albert, C., division No. a reported.

1. Where a tender is accompanied by a condition and the party to whom the tender is made makes no objection to such condition, but rejects the tender on the sole ground that the amount tendered is insufficient, the condition does not vitiate the

praisement, and in making the order of coninrmation he impliedly overrules all such oblections.

3. Where such order is entered on the
records of the court and a party appeals
therefrom it will not be reversed on the
ground that it does not affirmatively appear that the judge directed the clerk to
make such entry.

4. A judge has no jurisdiction at chambers
to grant a writ of assistance.
No. 10627. Brown against Collins. Error
from Lancaster. Affirmed. Hastings, C.
Division No. 1. Not reported.

1. Errors not urged in the briefs will be
disregarded.

2. An acknowledged instrument, of a kind
permitted to be acknowledged and recorded,
is admissible in proof without evidence of
the authenticity of the signatures.

3. A judicial record of another state, authenticated as provided in section 414 of
the code, is admissible in evidence without
further proof that the court from which it
comes is one of record.

4. Where there is some evidence tending
to support the allegation of no proceedings
at law in a foreclosure suit and no counter
showing attempted, decree of foreclosure
will be affirmed.

Cause of Decline, in Sugar.

NEW YORK, Dec. 24—James H. Post, president of the National Sugar Refining company, in an interview regarding the sugar situation and the recent cut in prices said:

"At this time of the year the grocers do not buy very largely of sugar. They all seem very badly demoralized by the recent rapid declines. The small decline in raw sugar has been caused by the possible withdrawal of a portion of the bounties paid by European countries. In addition there are the excessive stocks all over the world of both beet and cane sugars."

BUFFALO, N. Y., Dec. 24.—The Board of Aldermen has accepted the resignation of City Treasurer Philip Genet, whose accounts are now undergoing an investigation. Gerst has publicly admitted that there was recently a shortage in his accounts of over \$50,000, but claims it has been made good.

Postpone Zion Decision.

CHICAGO, Dec. 24.—Judge Tuley announced today that his decision in the suit for the appointment of a receiver for the Zion lace industries would not be handed down until after his return from his holiday vacation.

Frank Pierson of the Rock Island city

office has gone to Bewon, in., for chistmass.

Thomas A. Foss of the Northwestern ticket office, will spend Christmas at Sloux City.
Chief J. Foley, telegrapher at the Rock Island city ticket office, has gone to Des Molnes.

Roy Miller of the Northwestern city ticket office will pass Christmas in Des Molnes.

L. A. Hoffman of the Illinois Central

Roy Miller of the Northwestern city ticket office will pass Christmas in Des Moines.

L. A. Hoffman of the Illinois Central city office will spend Christmas in Dubuque, Ia.

District Passenger Agent W. H. Brill of the Illinois Central has gone to St. Joseph for the holidays.

James Sheean of the legal department of the Northwestern lines has gone to Michigan for Christmas.

Samuel North, traveling passenger agent of the Northwestern, will spend the holidays at Tipton, Ia.

John Mellen, traveling passenger agent of the Northwestern, will spend the holidays in Clinton, Ia.

Fritz Wagner of the Burlington passenger headquarters will spent the holidays in Aberdeen, S. D., with his mother.

C. A. Rutherford, general agent of the passenger department of the Rock Island, has gone to Toronto, Canada, for the holidays.

General Passenger Agent J. R. Buchanan of the Fremont, Elkhorn & Missouri Valley railroad will spend the holidays in Chicago.

H. C. Cheyney, general agent of the Northwestern, will spend the holidays in Des Moines, Mrs. Cheyney and the children going with him.

F. B. Wood, mail clerk in the passenger department at Fremont, Elkhorn & Missouri Valley headquarters, has gone to Alden, Ia., for the holidays.

4. W. Bush, cashier of the passenger department at Fremont, Elkhorn & Missouri Valley headquarters, has gone to Alden, Ia., for the holidays.

Traveling passenger agents of the Union Pacific system swooped upon Omaha in a body for the holidays. A. B. Borglum, J. O. Cockell, A. K. Curtis and L. Beinderff are

870 2 00 900 2 00 810 2 00 936 2 00 936 2 00 920 2 00 920 2 00 970 2 00 763 2 05 837 2 05 837 2 05 837 2 10 830 2 10 847 2 15 000 2 25 120 2 25 800 2 25 700 2 25 900 810 936 890 920 970 763 837 847 830 800 702 1000 800 1120 800 7120 800 7120 800 7120 800 7120 Kansas City Live Stock Market.

KANSAS CITY, Dec. 24.—CATTLE—Receipts. 3,000 natives, 200 Texans. 50 catves; corn-fed steers, 100/15c higher; others steady; choice export and dressed heef steers. \$5.9506.60; fair to good. \$4.50(3.75) atockers and feeders. \$3.7004.25; western fed steers, \$4.7506.00; western range steers. \$3.5006.50; Texas and Indian steers. \$3.0004.50; Texas and Indian steers. \$3.0004.50; heifers. \$3.0006.00; cauners \$1.50 (92.40; butls. \$2.4004.25; calves. \$3.2507.25; HOGS—Receipts. 10.000 head. Market 10 (91.50; heavy. \$6.507.50; higher; top. \$6.65; butks of sales. \$5.70 (16.50; heavy. \$6.507.50; mixed packers. \$6.1006.50; light, \$5.006.515; pigs. \$3.900.500. SHEEP AND LAMBS—Receipts. 3.000 head. Market strong; fed lambs. \$1.500 head. Market strong; fed lambs. \$1.500 fed.50; ewes. \$3.0003.75; cuils and feeders. \$2.0003.50. 988 884 904 1000 960 886 896 967 1042 810 1100 1000 1023 880 810 1000 980 906 1115 885 1020 1010 1066 COWS AND HEIFERS. STEERS-TEXAS BULLS. 970 580 1300 600 850 1060 970 1060 1170 890 1110

St. Louis Live Stock Market.

ST. LOUIS, Dec. 24.—CATTLE—Receipts, 4,100 head, including 3,000 head Texans; market steady to strong; native shipping and export steers, \$5.0006.5.30, with fancy worth up to \$8; dressed beef and butcher steers, \$4.0066.00; steers under 1,000 lbs., \$2.50 065.00; stockers and feeders, \$2.4562.80; cows and helfers, \$2.0069.85; canners, \$1.5062.70; bulls, \$2.0063.50; Texas and Indian steers, \$3.8065.00; feed and \$2.856.25, grass; cows and helfers, \$2.2323.40.

HGGS—Receipts, 4,100 head; market steady to strong; pigs and lights, \$5.5065.70; packers, \$5.5066.00; butchers, \$6.0065.55.

SHEEP AND LAMBS—Receipts, 500 head; market strong; native muttons, \$2.5062.00;

market strong; native muttons, \$2.50/62.00; lambs, \$4.00/65.50; culls and bucks, \$3.00/64.50; stockers, \$1.50/64.00. New York Live Stock Market. New York Live Stock Market.

NEW YORK. Dec. 24.—BEEVES—Receipts, 311 head; no sales reported. Cables quote American steers at 125@134c. dressed weight; refrigerator beef at 105@105.c? exports, 816 head beeves, 1,746 head sheep and 4,888 quarters of beef.

CALVES—Receipts, 334 head; steady; veals sold at 34.0093.56, barnyard calves, 32.0094.00; westerns, 33.5093.75.

SHEEP AND LAMRS—Receipts, 2.285 head; steady; sheep, 33.0093.75; junts, 31.625.60, 40.0093.75; junts, 31.625.60, 40.0

Kansas City Live Stock Market.

St. Louis Live Stock Market.

St. Joseph Live Stock Market. ST. JOSEPH. Dec. 24.—CATTLE—Receipts, 800 head. Market steady; natives, \$1.0097.15; cows and helfers. \$1.0096.10; stockers and feeders, \$2.0094.06 Rio invoice 7.7-16c. Mild. dull, unchanged. HOGS—Receipts, 6.000 head. Market Futures opened steady at an advance of 5 \$1.346.504.00; corresponding day last year,

Boston Stock Guotations. BOSTON, Dec. 24.—Call loans, 44.264 per cent: time loans, 526 per cent. Official closing:

Atchison 4s. 102 Amalgamated
Gas 1s. 81 'Baltic
Mex Central 4s. 80
N. H. G. & C. 535 Centennial
Atchison 77
do pfd. 1995 Dom. Coal
Boston & M. 159
Boston & M. 159
Boston & M. 159
Boston Ellev 167
N. Y. N. H. & H. 21945 Old Dominion
Fitchburg pfd. 141 Osceola
Union Pacific. 1094 Gid Dominion
Fitchburg pfd. 141 Osceola
Union Pacific. 1094 Gid Dominion
Fitchburg pfd. 144 Osceola
Union Pacific. 1094 Gid Dominion
Mex Central 235 Guiney
Amer Sugar 1658 Santa Fe Cop.
Dom. I. & S. 2445 Tamarack
Gen. Electric. 250 Trimity
do pfd. 204 United States
N. E. G. & C. 458 Utah
United Fruit. 93 Victoria
Westingh. Com. 81 Winona
Adventure 16 Wolverine
Allouez 234