

NEBRASKA.

Greeley county is going to find \$16,000 of its indebtedness.

Work is progressing on a \$12,000 school building at Omaha.

A gigantic squash raised near Riverport, this state, weighs 162 pounds.

Seventy-three immigrant wagons passed through Oxford last week.

Printers employed on the Omaha Bee went out on a strike last Sunday.

A colony of one hundred persons will locate in Pierce county next spring.

Four hundred books have arrived for the public library at Grand Island.

T. H. Head, living south of Alma, has a fine bearing peach orchard of 600 trees.

Atlanta is the name of a new station on the cut-off between Holdrege and Oxford.

The broom-crop in Adams county is said to be immense, and all harvested.

Valentine on the 27th a brakeman named Bruce was run over by a car and lost a leg.

The new settlers in the upper country are hauling their winter supplies from Valentine.

The railroad company is considering the matter of building new stock yards at Wisner.

The docket for the October term of the Douglas county district court contains 660 cases.

A subscription paper is being circulated at North Loup to raise funds for building a church.

Mrs. Hoops, of Nemaha county, aged 75, died suddenly while making preparation to attend church.

Grand Island has passed an ordinance prohibiting hitching posts in the business portion of the city.

Omaha police made a raid on the colored gambling dens and lugged sixteen players to the lock-up.

Anti-monopolists of the 26th senatorial district have nominated D. S. Parkhurst for the state senate.

Harry Ingalls, formerly of Beatrice, was arrested and brought back to Nebraska on the charge of bigamy.

Loup City is looking for a boom. Town lots to the number of 150 are to be sold at auction on November 15th.

A foreigner cannot vote in Nebraska unless he takes out his declaration papers thirty days before the election.

A large prairie fire swept over the table lands north of Valentine last week. No damage reported thus far.

Wm. Rhinegans, a former resident of Adams county, was drowned in Grand river, Colorado, week before last.

The remains of a boy baby, supposed to have been still-born, were taken from the river at Omaha a few days ago.

Rain somewhat interfered with the attendance at the Gage county fair, but in the matter of exhibits it was a great success.

John G. Gray, the Genoa editor, has recovered from his self-inflicted wound, and has departed for his father's home in Iowa.

Near LaPorte, a few days since, Miss Julia Thompson had a leg broken by the overturning of a buggy in which she was riding.

Benjamin F. Cobb, ex-police judge of Lincoln, is in straitened financial circumstances and creditors are jumping on him from all sides.

Nebraska has no soft corn this year, and if the cereal is gathered in season and properly housed it will command the highest ruling prices.

The young girl who was some time ago assaulted by the Mexican fiend is still very low, with chances rather against her final recovery.

The Presbyterian society at Hubbell recently dedicated their new church building. It is a slightly edifice and was erected at a cost of \$2,300.

At Hampton a little boy named Boyce, without authority, was engaged in chopping pumpkins, when he cut off the ends of two of his fingers.

Scarlet fever is attacking so many children in the neighborhoods east of Doniphan that some of the schools have been temporarily suspended.

Omaha is clamoring for more girls to do housework. Good housekeepers marry so fast that it is difficult to keep the market for hired girls supplied.

Alvin McGuire, who broke jail in Lancaster county last December, has been captured and will be compelled to serve out an uncompleted term of sixty days.

The Woman's Christian Temperance unions of the state are going to secure a mammoth petition to present to the next legislature, asking for prohibition.

Capt. Foster, an Omaha sporting man, won \$4,000 in a gambling house in that city last week, breaking the institution and compelling the manager to close up.

J. M. Stout and James McNeal, of Doniphan, got into difficulty which terminated in the former getting a jaw broken in two places and the latter a closed optic.

A German at Lincoln named Vogt took a dose of strychnine and passed on to the other world, where wine and women will not again upset his mental equilibrium.

Perry Dutton, a youth in jail at Valentine for horse stealing, cut his way out with a pocket knife. He was recaptured and is now confined in the jail at West Point.

Charles Nelson, a young Dane working for a gardener near Omaha, was found dead in bed one morning last week. Physicians pronounced it congestion of the heart.

The Falls City News thinks twelve hundred and fifty dollars is a rather expensive lesson for two citizens of that place who tackled a confidence game on the circus grounds.

Attendants at the state fair from Grand Island and vicinity presented Union Pacific Conductor Winkelman with a lantern for being the most popular ticket-puncher on the road.

Lamberton Leaton publicly announces to the people of Kearney county that his wife has deserted him after only two months of wedded bliss. She ran away with an ex-lawyer of Minden.

Herbert Fester, of Buffalo county, a son of George Fester, was killed a few days ago. The boy was herding cattle on a pony and the pony ran over a calf, throwing the boy off and killing him instantly.

A Swede named Zoegen, who arrived at Grand Island recently with his family from the east, suffered the loss of about \$30 on the train. He fell a victim to the machinations of the festive three-card monte man.

BRIEFLY TOLD.

McCollough, the actor, is said to have become demented.

The world is ten million years old, according to the Duke of Argyle.

Tennyson's new work consists of one long dramatic poem, subject, "Bucket."

West Virginia is having very hot weather, and is suffering greatly from drought.

The strike among the miners along the Monongahela river, is practically at an end.

The loss by the Cleveland lumber fire is estimated at \$125,000, the insurance being \$106,000.

Dair, the murderer of Alderman Gaynor, of Chicago, was found guilty and sentenced to be hanged.

The Buffalo glucose company shipped two train loads of corn to Chicago and realized a profit of 16 cents a bushel.

John Baker, of Augusta, Me., was arrested for the murder of Mrs. Tuck. He confessed to having committed the crime.

Edward Morgan, whose father is a well known resident of Des Moines, Iowa, fell from a window at Lafayette, Ind., and was killed.

General William A. Throop, of the firm of Lapham & Throop, Detroit, a well known citizen and politician, shot himself and will die.

Daniel W. Fuller, an Adventist exhortor of Chesterfield, Michigan, grew weary of waiting for golden slippers, and hanged himself in his barn.

Mrs. Barbara Becht, of Louisville, arose from her bed to hunt for a cat. Her clothes took fire from a candle, and she was burned to death.

The Exchange National bank of Cincinnati has gone into voluntary liquidation, and its interests will unite with the Cincinnati National bank.

Andrew J. Cooper and other Chicagoans have incorporated at Springfield a company with a capital of \$1,000,000 to operate a gold mine in Michigan.

Chicago capitalists are said to be arranging to build a railroad from Monroe, Louisiana, to Pine Bluff, Arkansas, a distance of 150 miles through the cotton belt.

Walter Wesser, twelve years of age, was instantly killed on the Rock Island road west of Des Moines. In getting out of the way of a Port Dodge train he stepped in front of a moving train on another road.

The sentence of Clifford W. Richardson, of Ohio, convicted of murder and sentenced to hang Sept. 26th, and reprieved to Oct. 28th, has been committed to imprisonment for life by Gov. Hoadley, of that state.

The Merritt wrecking company has succeeded in raising the Tallapoosa sufficiently to remove her miles toward Edgartown harbor. She will be taken in a few days to where she can be temporarily repaired.

The local freight agents of the castbound trunk lines, at a meeting at Chicago, decided to restore full tariff rates to seaboard points, which are on the basis of 25 cents on grain and 30 cents on provisions from Chicago to New York.

An inspection of the Canadian Pacific road has recently been made by the chief engineer of government lines. He reports that a force of 5,000 men are at work on each side of the Selkirk mountains, and that track will be laid to the Pacific ocean by next spring at the latest.

Sixty-three barrels of beer, the entire stock of Schneider-Brewery at Cedar Rapids, Iowa, was turned out upon the ground, they preferring to have that done than to have the suit against them for selling beer continued. Their kegs were returned and they will take them to their Ohio brewery.

The largest cattle sale ever made in Lafayette, Ind., has just been consummated. Messrs. S. Fowler and Vannatta sold to W. H. Monroe, of Boston, through his agent John Enoch, of West Liberty, O., 1,000 head of fat cattle for \$70,000 cash, an average of \$70 a head. They were shipped east over the Lake Erie and Western road.

At Charleston, West Va., during the democratic demonstration, John Minley, in a drunken fit, began shooting in the crowd. Charles Slaughter, colored, was shot just above the heart, and Albert McCormick, white, was shot in the neck. Both victims were taken into a drug store, where Slaughter died in five minutes.

A call signed by J. T. Dorigine, vice president of the National Association of American Inventors, has been issued to inventors of Illinois, urgently requesting them to assemble in state convention at Chicago, October 23, 24 and 25, for the purpose of forming a thorough organization and electing delegates to the convention of the national association, to be held at Buffalo, N. Y. January.

The outlook is reported to be very favorable for fall and winter business at the south. Although the cotton crop will be less than was expected a month ago, owing to the drought, there will be larger crops of corn, wheat and fruits than for some years. The south will not be obliged to purchase so much breadstuffs from the west as heretofore, the difference as compared with last year being estimated at fifty million dollars.

CAPITAL BRIEFS.

The reduction of the public debt during September is \$1,300,000.

Commodore Thomas Tillibrown, commander of the New York navy yard, died suddenly of heart disease on the 27th.

The president has appointed J. W. Patrick, of Oswego, Kansas, Indian agent of the Potawatamie and Great Nemaha agency in Kansas.

Acting Postmaster General Hutton has issued an order that on and after October 1 all postoffices of the first class and their stations or branch offices shall be kept open to the public for the issue and payment of money orders and for the receipt of matter intended for registration and the delivery of registered matter until 6 o'clock every day, except Sundays and legal holidays.

At the session of the South American commission there were present the United States minister to Mexico, Phillip H. Morgan and John Roache. Roach said theorizing was well enough but facts were needed. Railroads, he thought, made this country what it is, and if we carry on trade with Brazil we must have great facilities. Sailing vessels were nothing. We must have vast steamers to carry freight.

The majority report of the Springer committee on United States marshals' accounts is made public. It is signed by the democratic members of the committee, and says: "As long as those who possess the powers to appoint these officers have no appreciation of the true dignity of the public service, and regard their offices only as rewards to be bestowed on their most unscrupulous political allies, there is not much reason to hope for any great improvement in the character of our appointed officials."

CRIMINAL.

Darwin N. Gardner, for nine years police

clerk of Cleveland, Ohio, shot his wife and then shot himself.

A blacksmith, who leaves a wife and six children, hanged himself in a democratic wig-wam at Fort Wayne, Ind.

James and Frank Homer and James Murray have been arrested in St. Louis on the charge of burglarizing several Washab depots in Illinois.

Burglars entered the store of Michael Bros., owners, Greenpoint, L. I., broke open a safe and took \$16,000 in jewelry, watches and etc. The police have no clue to the robbers.

The officers investigating the recent theft of \$20,000 in bonds from the Equitable safety-deposit vaults, Boston, have recovered \$6,000 secreted by Stevens before his flight.

St. Louis in search of Miss Clara L. Hutchinson, who eloped with a married man named Wilbur McEntire, of that city. He found them registered at the Southern hotel as Murdoch and wife. They agreed to return to Boston with him.

Rev. Frank B. Sleeper, pastor of the Baptist church of Guardian, Mass., was arraigned before Judge Field, of that town, on the charge of assault, preferred by Mrs. Ellen Holt. The offense is alleged to have been committed in June, 1882. Intense excitement exists in the town on account of the social standing of the parties.

In the woods, just beyond the corporation limits of Dallas, Texas, the dead bodies of a man and woman were discovered side by side and still warm. She was about 18 and wore a diamond brooch and dressed with exquisite taste. He was a few years her senior. Between them lay a revolver with two chambers empty. Near by was a note in a clear, bold hand: "As we cannot be united in life we will be in death. George F. Patrick and Annie Maulor." There is no further clue to their identity.

POLITICAL NOTES.

Gov. Hendricks has gone on a visit to the Louisville exposition.

Colorado democrats nominated Alva Adams, of Pueblo, for governor.

Information has reached Des Moines that a St. John electoral ticket will be placed in the field.

James A. Fox, mayor of Cambridge, has been renominated for congress by the republicans of the Fifth Massachusetts district.

The greenbackers who refused to fuse met at Lansing, Michigan, and indorsed the seven greenback electors already chosen and added six more.

Governor Cleveland visited Buffalo, his old home, on the 24, where he met with a formidable demonstration in his honor. He made a brief speech with much reference to politics.

Pennsylvania greenbackers nominated for congressman-at-large N. L. Atwood, of Venango county. Electors-at-large, Thomas Armstrong, of Pittsburg; Samuel Calvin, of Blair, and Wm. Wilhelm, of Schuylkill.

Ex-Governor Hendricks arrived at Louisville as a guest of the southern exposition. Twenty thousand people welcomed him on the grounds in the evening, when he made a short and appropriate speech without touching politics.

General Butler, Thomas F. Grady and Col. Blanton Duncan, of Kentucky, addressed a labor meeting at Albany, N. Y. An organized mob of employes of the new capitol took possession and endeavored to break up the meeting. They procured eggs and hurled them at Grady during his address. Eggs not forcing Grady to retire he was then allowed to continue his address.

The Delaware republican state convention was held on the 30th. The platform accepts the national platform; commends Blaine's letter of acceptance; declares the nomination of Blaine the result of a spontaneous demand of the party; upholds the temperance alliance committee for the introduction of the local option plank rejected by the committee on resolutions. Anthony Higgins was nominated for congress.

FOREIGN NOTES.

Sir Evelyn Baring has sent a dispatch to the government that Gordon, after bombarding Berber, effected an entry and recaptured the place. The rebels and hostile inhabitants fled when the bombardment ceased.

The Pall Mall Gazette says it is believed in official circles in London that the attitude of Germany toward France in the Chinese difficulty is exercising a disquieting influence upon the French cabinet.

The council of the Roman Catholic archbishops and bishops at Dublin decided to confide to Irish members of parliament the question to be submitted to the government upon university education, and the grievances of nuns employed as school teachers.

At a meeting of the French cabinet council, Prime Minister Ferry assured his colleagues that the occupation of Kelung by Admiral Courbet would finish French operations in China. He stated that he had reason to believe that peace would soon follow the event.

Intelligence is received of a terrible hurricane in Ireland, on the 11th of September. Accounts thus far received show nineteen trading vessels and sixty fishing boats were lost and thirty-two vessels destroyed. The most appalling feature of the storm was the terrible loss of life.

Advices from Durban state that Transvaal government has assumed a more conciliatory attitude toward England. President Kruger explained to Volksraad that he had not asked Germany for protection, but only for support. Protection would only be necessary in case Transvaal became involved in war.

A dispatch to Reuter's Telegram company, from Cairo, says the recall of General Wolsey is denied on official authority. The dispatch also states the khedive received a telegram informing him that Berber had been recaptured from the rebels, who, upon evacuation, succeeded in removing their resources.

Advices from Adelaide, South Australia, state that the Duke of Manchester has started on his return to England. He received a remarkable farewell ovation during his travels. The party in the northern territory was attacked by blacks and some of the party killed. The duke himself narrowly escaped. Parties started in pursuit of the blacks to avenge the deaths of those killed.

Cutting Rates to Omaha.

Chicago dispatch: Representatives of the roads interested in the passenger business to Missouri river points met on the 23rd to consider the matter of 1,000-mile tickets, which, it is claimed, have been issued by the Rock Island road in considerable numbers in payment for advertising and printing at rates which have enabled the recipients to dispose of them to scaplers, thus in effect cutting rates.

As the Rock Island refused to call in these tickets, lines interested agreed to make a cut in the rates to Omaha and Kansas City to-morrow. The amount of the cut will be governed by circumstances. The regular rate is \$14.50. It is anticipated \$9.75 will be the rate for to-morrow night.

The tree of knowledge is not the tree of life.—Byron.

GOV. ST. JOHN.

His Letter Accepting the Prohibition Nomination for President.

The following is St. John's letter of acceptance:

OLATHIE, Kas., September 25.—Hon. Samuel Dickie, Chairman, Committee, Etc.—My Dear Sir: In formally accepting the nomination for president, tendered to me by the national prohibition convention at Pittsburg, Pa., July 23, 1884, I take the opportunity to state that while the honor was neither sought nor desired by me, yet it is greatly appreciated, bestowed as it was by a convention composed of delegates who in point of moral worth and mental ability were fully equal, if not superior, to any political convention that ever assembled in this country. The war for the union is over; the rebellion has been crushed; African slavery abolished; the old issues have passed away, and with them should go old prejudices and sectional strife. To-day the products of the north and south flow in friendly relations along the same channels and under the same flag, and every section of our country acknowledging allegiance to the same government. There never was a time when our people could better afford to be, and when it was more important that they should, stop and think than now. With manufacture shutting down, banks failing, merchants failing in business, securities unsettled, western wheat selling at the home market for forty-seven cents per bushel, and hundreds of thousands of industrious farmers and laboring men who are willing to work but can get nothing to do, it seems to me that the time has come, for the people are the source of all political power, to call a halt and stand and think, for there must be a reason for this condition of things. The little time and space that I am permitted to devote to this question, I devote to a discussion of the tariff question, ignoring all matters which relate to the moral elevation of the people. I am of the opinion that the manufacturer who, by reason of a depressed condition of business, has been compelled to use an unsafe and unwholesome benefit of his creditors will not find relief in the agitation of that question now; nor will the average farmer become very rich by a change over the discussion, with his wheat not worth as much in the bin as it cost him to produce it. The amount received by the government for duties on imports is less than \$100,000,000 annually. There are about 175,000 retail dealers in intoxicating liquors in the United States, each of whom pays to our government \$25 in excise tax. In consideration of this they are permitted to carry on their business for a term of twelve months. When we add to this amount paid by the distillers, brewers and wholesale dealers, we find that the interest of the government in the manufacture and sale of intoxicating liquors is about \$80,000,000 annually. This traffic, sanctioned as it is by the laws of the country, costs the people, at a low estimate, one thousand million dollars per year, not to speak of the destroyed health, debauched morality, and the crimes, crime and corruption it produces. This disgraceful business should be suppressed and the enormous sum of money that under the present system is worse than thrown away, saved to the people, and thus a protection would be given to the industries of this country. It would enable us successfully to meet our doors open to the competition of the world. The republican and democratic parties favor a continuance of the manufacture and sale of intoxicating liquors as a beverage, while the prohibition party demands that it shall be forever suppressed. Thus an issue is presented to the people in which is involved the protection of every home on the land. It is not a mere local issue, either, but it is a national as well as a practical question, upon which the protection of every home on the land is at stake. Our country needs a discipline in power—has decided to vote, and they will not be found halting between two opinions touching this matter. Let us work and pray and vote against this great evil until it is driven from our land, never to return. The government is simply a reflex of the individuals composing it. If we are to be honest, sober government we must have an honest, sober people; but we can never have an honest, sober people so long as the government sanctions that which makes its citizens dishonest, drunken and corrupt. The declaration of principles, which I heartily endorse, is set forth in the platform of the prohibition party and the thoughtful consideration and earnest support of all good citizens, in regard to locality or former political affiliation. Our country needs an administration that will rise above mere partisan considerations and in the selection of public officials will choose the most honorable, capable and best service to party, the best. It should be conducted, not in the interest of any particular section, party, race or color, but in the interest of the whole people. To accomplish this, all good citizens should promptly step to the front and be counted for the right. This is the only way to success. Moral considerations never win and surely never deserves a victory. Then, let us look to God for His guidance, and fearlessly and faithfully do our whole duty, never desisting that he will take care of the result. Very truly, your friend,

JOHN P. ST. JOHN.

A CORDIAL RECEPTION.

Tendered by the Citizens of Buffalo to the Democratic Presidential Nominee.

Governor Cleveland, the democratic nominee for president, made a visit to Buffalo on the 24, and was cordially received by people of all political opinions. He was welcomed to the city by Hon. Henry Martin, president of the Merchants' and Traveler's bank, in a speech occupying about fifteen minutes in delivery, to which Gov. Cleveland replied as follows:

FELLOW CITIZENS—I can hardly tell the pleasure I feel in receiving you here, and how grateful I am for this demonstration of the confidence and esteem of my friends and fellow citizens. I have resided among you and in your city, where all my superior pleasures of life have been achieved, for nearly thirty years. To-night I come to you after the longest absence that has occurred in that time, and yet within the few weeks that have elapsed since I saw you last, an event has happened of supreme importance to me, and that places me in the public eye. The nomination of me for the high office which I now hold in the state, and I assure you that in its administration I have received no greater encouragement than the approval of my friends at home. "What I have seen and heard to-night has touched me deeply. It tells me that my neighbors are still my friends, and assures me that I have not been altogether successful in my efforts to deserve their confidence and attachment. In years to come I shall cherish the kindly welcome I still recall the kindness of my Buffalo friends. But other friends are here to-night, and to all who tender me their kindly welcome I extend a heartfelt greeting, as citizens with me of the greatest commonwealth in the sisterhood of states, and one immensely interested in the grand procession I am to review before me, and his guests to Niagara Square, where he is dispersed. As column after column passed cheers loud and long were given. After the procession had passed an informal reception was tendered the governor, many ladies and representative men of the city tendering him their congratulations.

More than a thousand different kinds of apples are growing on the university farm at Champaign, Ill. Who supposed there were so many?

Love thy wife and cherish her as long as thou livest. Flattery is better than roughness and will make her contented and diligent.—P. Hotep.

THE SCHOOL FUNDS.

An Able and Important Opinion by the Judges of the Nebraska Supreme Court.

In the matter of investment of the permanent school funds of this state.

After consideration and consultation concerning the questions involved, the following communication was addressed:

To the Honorable, the Supreme Court of Nebraska: We, the undersigned members of the board of educational lands and funds, would respectfully represent that a doubt exists in regard to the construction of section 9, article 8, of the constitution, and section 29 of an act entitled "An act to amend an act entitled an act to provide for the registry, sale, leasing and general management of all lands and funds set apart for educational purposes, and for the investment of the same, being article I, chapter 80, compiled statutes." Also to repeal article 3 of said chapter 80. Approved February 24, 1882. And, not inconsistent with the duties of your honorable court, in order to further the proper execution of the law, we would respectfully solicit an opinion upon the following question:

First—Can the board of educational lands and funds, under the said section of the constitution and law, invest the permanent school fund in the United States three (3) per cent bonds? If so, can they pay a premium therefor from the temporary school fund? And, if not, can they draw from the permanent school fund therefor?

Second—Can the board in purchasing a high rate of interest registered county bonds detach coupons therefrom so that the remaining coupons will net the state six (6) per cent from the date of purchase to maturity?

Third—Has the board authority under purchasing United States three (3) per cent bonds for the permanent school fund, the power under the law, to sell or convert such bonds into a high rate of interest registered county bonds?

Respectfully submitted,

A. G. KENDALL, Com. P. L. and B. Foreman, Nebraska State.

ISAAC POWERS, Atty. Genl.

JAMES W. DAWES, Governor.

Members of the board of educational lands and funds: Treasurer P. D. Sturtevant, dissenting.

Upon presentation to the honorable supreme court of the question above stated, it was suggested by the judges thereof, that the attorney general appear with such legal propositions, as he might deem fit, and that the board of educational lands and funds have a file with said court the facts concerning, and reasons which called for action of the court, whereupon the following communication was prepared and presented to the court:

To the Honorable the Supreme Court of Nebraska: We, the undersigned members of the board of educational lands and funds of Nebraska, having joined in a memorial to your honorable court to answer certain questions heretofore submitted, with reference to the investment of the permanent school funds of this state, beg leave to submit to you the following state of facts, and conclusions leading to the submission of the above-mentioned questions to your honorable court:

It appears from information filed with said board, by the state treasurer, whose duty it is to apprise the said board of the status of the permanent school fund on hand, and invested, at its monthly meeting on the second Tuesday of each month; that since about March, 1882, there has been a large amount of the treasury money belonging to said permanent school fund in excess of the amount the board of educational lands and funds have been able to invest in United States bonds.

That on November 23, 1882, there was a surplus of permanent school funds amounting to \$26,875.51. It further appears that the said board have endeavored to invest said permanent funds in such securities as they could approve, there is now on hand, and invested, the sum of \$1,000,000.00, and a gain over investment of \$50,000 in one year. From the business of the land department in this respect, we are able to judge that during the next three months there will be a large sum to be added to the permanent school fund, estimated by those competent to know at from \$5,000 to \$100,000.

And we further represent, that in our opinion, we shall be unable to invest the said amount in registered county bonds of this state, bearing six per cent interest.

We believe that the accumulation of such a large sum of money in the state treasury, bearing no interest, and not being put to use, is of sufficient necessity to warrant us in propounding the questions heretofore submitted to your honorable court, and respectfully request a consideration upon your part, that possibly may enable us to invest said funds, that the school fund shall derive every benefit possible therefrom.

At the request of members of this board the attorney general will appear in person, or in writing, with such legal propositions as he may deem proper.

Respectfully submitted,

A. G. KENDALL, President Board Educational Lands and Funds.

E. P. ROGERS, Secretary Board Educational Lands and Funds.

Answering the foregoing questions the honorable supreme court replied as follows: To the Honorable Board of Educational Lands and Funds:

GENTLEMEN: Deeming an answer to the questions propounded by you in your communication of the 13th inst. to be an investment of permanent school funds of this state, not inconsistent with our duties, we submit the following:

To the first question, taking them in the order in which they are put, we answer that you are clearly in authority, under the sections of the constitution and statute to which you refer, to invest the permanent school fund in United States three per cent bonds if you deem it advisable to do so. The doubt you mention of your right to invest in these bonds is not prompted, very likely, by your knowledge of interest which they bear, together with the provision in section 29 of the act of February 24, 1882, relative to investing in the purchase of county bonds, and evidently has no reference whatever to investments in United States and state securities.

As to the payment of premiums, if they be necessary in the purchase of United States bonds, these must be made out of the permanent school fund, or there must be some other source from which to pay them. The only cases in which premiums can be paid out of the temporary school fund, are those of investments in "high rate of interest" county bonds, as provided in the above mentioned section, and even these, but for this special provision, would have to be made out of the permanent fund. The payment of a premium in making an investment when the market value of the security purchased justifies and requires it, is a legitimate and proper use of the fund, and does not in any way violate the constitutional provision that this fund "shall remain forever inviolate and undiminished."

Investments of this fund in any of the securities permitted by the constitution, whether at their par value, or above it, or below it, although made in the reasonable hope of an advance in their market value, and a consequent gain, must necessarily be at the hazard of a depressing and consequent loss. With this restriction of the constitution, which limits these investments to United States bonds, the law leaves them entirely to the judgment of your honorable board.

To the second question we answer no. While so far as we now see, a purchase of "high rate of interest" county bonds, in the mode suggested by the question, might produce substantially the same result as would that designated by the statute, it is different; and where the legislature in