

The Sioux County Journal.
 [OFFICIAL COUNTY PAPER.]
 Subscription Price, \$2.00
 L. J. Stimmess, Editor.
 Entered at the Harrison post office as second class matter.
 THURSDAY, FEBRUARY 27, 1890.

A man in Boone county took a drink of carbohc acid, thinking it to be alcohol, and died from the effect in thirty minutes.

Two boilers in the Amour-Cudahy packing house at South Omaha exploded last Saturday, killing three men and injuring eleven others, and causing a loss of over \$30,000.

The bill of Senator Manderson to extend the boundaries of Yellow Stone Park, passed the senate a few days ago. The work of the Nebraska Senators is attracting a good deal of attention.

The bonds for a court house in case the county seat of Box Butte county is located at Alliance were carried at a special election last week, there being but thirty-four votes against the bonds.

It has been decided by the directors to build 200 miles of the Sioux City & Ogden line west from O'Neil this year. This will not reach Sioux county but will get it in a good place so as to be extended next season.

The late William D. Kelley was elected to Congress fifteen times, but in only four of those contests was his plurality greater than that which Reburn, his successor, obtained last Tuesday. There is no political backsliding in the Fourth Pennsylvania District.

By the breaking of the deadlock in the Iowa legislature the democrats get the speaker and the republicans get all the rest. It would have been better had the democrats acceded to this at first, and the law making of the session would have been considerably advanced.

Senator Manderson had his left arm quite severely burned one evening last week. He was at work under a student lamp which was adorned by an immense paper shade. The shade caught fire and in his efforts to extinguish the flame his arm was burned in a number of places.

Neal, the man arrested at Kansas City for the murder of the old couple in South Omaha a few days ago, has been identified by a number of men who met him about the time of the murder. There appears to be no doubt as to his being the perpetrator of the horrible crime, and he will be pretty apt to pay the penalty.

Chicago was chosen as the site for the worlds fair by the House on last Monday. It took eight ballots to decide the question. The result is thought to practically settle the fight on the matter, and now that is settled and the rules of the house adopted and speaker Reed has demonstrated that he knows what he is about, it is to be hoped that congress will settle down to business and do something that will benefit the people. In the contest for the worlds fair all the congressmen from Nebraska voted every time for Chicago, that being the expressed wish of a large number of the people of the state.

A correspondent from Fairmont, Neb., writing to the Lincoln Journal on the matter of railroad rates and the prices of grain takes the position that it is more the fault of the grain dealers, whom he calls gamblers, than of any one else that the low price of grain continues. There is a vast amount of truth in the position he takes on the subject. If the supply and demand were permitted to regulate the price of all products and bulls and bears deterred from putting the price up or down, it could not but be more satisfactory to the masses of the people. But how such a state of things can be brought about is certainly a great question.

For lack of time we could not look up the amount charged for collecting taxes by the ex-county treasurer, but in the general ledger of the treasurer's office, page 10, in account with the general fund, is found the following entries:
 June 29, 1889. Official expenses, S. D. No. 1, \$ 50.00
 July 12, 1889. Commission on court house fund 200.00
 There is no record of any bill for the above to be found in the office of the county clerk. It is evident that the amount was taken without the matter being brought before the commissioners. It may be that he was entitled to a commission on the court house bonds, but they were only for Bowen precinct and there is certainly no reason why the amount should be taken out of the general fund of the county. As to the \$50 official expenses, the occasion for the expense grew out of a suit for school monies. The same may be true in this case, that he was entitled to reimbursement for his expenses in the case, but if it was a case in which the county was legally bound to pay the expenses, there is no reason why the county attorney should not have conducted his defense, and at all events the bill should have been audited and allowed by the county board so as to make the proper record.

The last issue of the fusion ring organ appears a communication and one or two editorial articles reflecting on the course pursued by Judge Barker at the trial last week of the men from White River precinct. It would appear from the articles mentioned that this paper is as

The Herald of the Herald Lawyer Again.
 EDITOR JOURNAL:—About a year ago the *Herald* started a law department and published a few weighty dissertations on civil law, but about the time the people began to get interested in the new enterprise the law department was discontinued. Perhaps the expense of a law editor of such technical proficiency was greater than the revenue received from the new department, but with its usual spirit of enterprise the organ of the fusion ring broke loose last week with a department of criminal law. I think that I might safely say, without fear of contradiction, that most men, and particularly lawyers, are only too anxious to allow their ignorance to remain in "innocuous desuetude" as much as possible, but it is not so with the fusion-ring organ and its lawyer. They not only advertise their ignorance of the law, but quote law to establish said ignorance beyond all question of doubt.
 With flying colors and sails set to the breeze it (I mean the *Herald* and its lawyer) charges Judge Barker with exceeding his jurisdiction in the case State of Nebraska vs. Perry Lewen et al., in which said defendants were charged with assault and battery in the following manner:
 "Perry Lewen, Frank Sisson, Frank Stratton and John Stratton did unlawfully and feloniously assault, strike and wound the said complainant contrary to the form of the statutes in such cases made and provided."
 And then the ponderosity of his great legal acumen discovers that the above charges a felony: to prove which he cites section 14 of the criminal code, as follows:
 SEC. 14.—[FELONIOUS ASSAULT]—If any person shall assault another with intent to commit a murder, rape, or robbery upon the person so assaulted, every person so offending shall be imprisoned in the penitentiary, not more than fifteen years nor less than two years.

Let us see what the above section defines as a "felonious assault." If any person shall feloniously assault another does it mean that such allegation shall constitute "felonious assault?" Most certainly not, but the *Herald* lawyer would have you so believe. "If any person shall feloniously assault another with intent to commit a murder," (on the person assaulted, describing the deadly weapon) such allegation would constitute a "felonious assault," or "with intent to commit a rape," (on the person assaulted) would also constitute a "felonious assault," or "with intent to commit a robbery," (on the person assaulted) would also constitute a "felonious assault."

Thus we see that there are three separate and distinct wrongs in said section, the charging of any one of which, in correct terms, would constitute a true charge of "felonious assault." Does the complaint against Lewen et al. charge the persons with "felonious assault" i. e. does it contain any of the following allegations: "With intent to commit a murder," "with intent to commit a robbery," or, "with intent to commit a rape?" Most assuredly not, but still the *Herald* lawyer would have you believe that the *sine qua non* of the complaint could be omitted and still a felony be charged.

The word "felonious" in said complaint against Lewen et al. was not necessary to constitute a charge of simple "assault and battery," nor does its presence vitiate said complaint, nor does it raise it to the crime of a felony. If Judge Barker had followed the theory advanced by the *Herald* lawyer as being the correct one, he would have been the laughing stock of the legal fraternity of the universe.

I might call the Gang editor's attention to the fact that parcels do not always contain what their labels indicate. The label or title, "felonious assault" without a proper charge thereafter, does not charge felony any more than the label "Christian" on said editor makes the festering mass of hypocrisy and servility which it covers, honest and noble christianity.

I came near forgetting the record saving clause of the law article which is as follows:
 After the defendants became fully assured that Barker intended to try them on the charge of felony, anyhow, in spite of the law, Mr. Satterlee, desiring to preserve the record for the protection of his clients, filed the following in writing:
 "In the county court of Sioux County, Nebraska, before S. Barker, county judge:
 State of Nebraska vs. Frank Stratton, John Stratton, Perry Lewen, Frank Sisson.
 The defendants object to the jurisdiction of this court for the reason that they are charged with having committed the offense of a "felonious assault"—an offense over which this court has no jurisdiction only as an examining magistrate, and the said defendants waive examination and ask to be bound over to appear at the next term of the district court, in and for Sioux county, Nebraska."
 FRANK STRATTON, JOHN STRATTON, PERRY LEWEN, FRANK SISSON.
 By E. D. Satterlee, their attorney.
 In reference to which I might add that to a man up a tree it looks as though the record saving genius was taking a good deal of pains to advertise his ignorance of law.

In the last issue of the fusion ring organ appears a communication and one or two editorial articles reflecting on the course pursued by Judge Barker at the trial last week of the men from White River precinct. It would appear from the articles mentioned that this paper is as

DRY GOODS, GROCERIES,
BOOTS AND SHOES,
 HATS, — CAPS
FLOUR AND PROVISIONS.

C.R. WELLS, HARRISON.

<p>THE STRAWS Shows Which Way the Wind Blows.</p> <p>THIS SIGN BOARD Will Lead You to the CASH STORE of C. R. W.</p>	<p>WHERE YOU Will Find A GOOD ASSORTMENT of Goods to Select From — And the — LOWEST PRICES In North-west Nebraska.</p>
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apt at attempting to cast reflections upon Judge Barker as it was in defending his predecessor.

In regard to the legal points a correspondent of THE JOURNAL has something to say in another column which shows whether Judge Barker did any thing wrong or not. The *Herald* in speaking of the action of Judge Barker says:
 "It was willful perversion and misrepresentation to help him out of the box into which his arrogance had brought him. If it is not malfeasance in office, what is it? If he will resort to such a course to save himself humiliation, it is unfit, unsafe that he should sit as judge of probate, or be vested with magisterial authority."
 Does the organ of the fusion ring which did all in its power to defeat Judge Barker last fall, and whose efforts in that direction were rewarded by the people by Judge Barker receiving the largest majority of any one on his ticket, expect that the people of Sioux county will swallow any such statement? The people of Sioux county know the men they elected to office last fall and they know, too, that Judge Barker is a man of integrity and ability and that no man owns the county court of Sioux county while Barker is presiding. The whole attempt is simply to carry on the war against the county officials, in order that they may cause all the trouble possible.

It is a peculiar fact that the ring organ should so soon discover that Judge Barker is unfit for the position to which he was elected, when it did not appear to find any cause for complaint in regard to the action of his predecessor during the time he held the office. It may be that the old ring got so accustomed to the doings of the county court during the old administration that it cannot appreciate a court conducted on legal principles, but it can rest assured of one thing and that is that all the howling it can do will not deter Judge Barker from doing his duty as a court nor will it cause the people to lose confidence in the man they chose to be the judge of the county court.

From the course being pursued by the old gang and its organ, it looks as if there was a concerted plan to place Sioux county in the worst possible light before the public, apparently to keep people from coming here to settle up the country and build up the town. Attempts have been made by them to keep people out before and the actions of late appear to be intended to have the same effect. It is to be hoped that some means will be devised to put a stop to such methods so that Sioux county may receive its full share of settlers and grow in wealth and prosperity.

The senior proprietor of this paper has been subject to frequent colds for some years, which were sure to lay him up if not doctored at once. He finds that Chamberlain's Cough Remedy is reliable. It opens the secretion, relieves the lungs and restores the system to a healthy condition. If freely used as soon as the cold has been contracted, and before it has become settled in the system, it greatly lessens the attack and often cures in a single day what would otherwise have been a severe cold.—Northwestern Hotel Reporter, Des Moines, Iowa. 50 cent bottles for sale by C. H. Andrews.

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C. F. COFFEY, Vice Pres.
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FINAL PROOF NOTICES.
 All persons having final proof notices in this paper will receive a marked copy of the paper and are requested to examine their notices and if any errors exist report the same to this office at once.
 Notice for Publication. Land Office at Chadron, Nebraska, February 25, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Register and Receiver, at Chadron, Neb., on April 16, 1890, viz:
 CONRAD LINDEMAN, of Harrison, Neb., who made D. S. No. 1726 for the sw¹/₄ sec 1, and n¹/₂ sec 2 and sw¹/₄ sec 12, tp 21, r 28.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: John H. Bartell, Joseph L. Morris, John Plunkett, Henry C. Kosh, all of Harrison, Nebraska. (24-25)
 W. H. McCANN, Register.
 Consolidated Notice for Publication. Land Office at Chadron, Nebraska, February 24, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Conrad Lindeman, clerk of the district court at Harrison, Neb., on April 8, 1890, viz:
 EDWARD A. WEIR, of Harrison, Neb., who made D. S. No. 1690, for the sw¹/₄ sec 3, tp 21, r 28.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: John H. Bartell, William E. Patterson, Asa C. Davis, Charles E. Verity, all of Harrison, Neb. Also
 WILLIAM E. PATTERSON, of Harrison, Neb., who made D. S. No. 2104 for the sw¹/₄ sec 4, tp 21, r 28.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Willet H. Green, Dwight H. Griswold, Albert M. Carrier, Edward A. Weir, all of Harrison, Neb.
 ALBERT E. RAMSEY, of Harrison, Neb., who made D. S. No. 220 for the e¹/₂ sec 1, n¹/₂ sec 13, tp 20, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Charles S. Scott, Warren W. Hall, Arthur W. Emery, William E. Moore, all of Harrison, Neb. (24-25)
 W. H. McCANN, Register.
 Consolidated Notice for Publication. Land Office at Chadron, Nebraska, February 4, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Conrad Lindeman, Clerk of the District Court, at Harrison, Nebraska, on March 29, 1890, viz:
 ELBERT M. CARRIER of Harrison, Neb. who made D. S. filing No. 220 for the e¹/₂ sec 1 and w¹/₂ sec 1, tp 21, r 26 w
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: William E. Moore, Nathaniel E. Armstrong, Albert M. Taylor, Zachariah Amos, all of Harrison, Nebraska, also
 PERRY L. MCCREA, of Harrison, Neb., who made D. S. No. 1817 for the n¹/₂ sec 30, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Grant Guthrie, George Walker, Otto Tietze, Michael Bruck, all of Harrison, Neb. Also
 GUSTAV NORSICH, of Harrison, Neb., who made D. S. filing No. 307 for the e¹/₂ sec 27, n¹/₂ sec 32, w¹/₂ sec 31, n¹/₂ sec 33, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: John F. Schulz, Isidor Riechstein, Carl Feveterherm, Charles E. Schulz, all of Harrison, Neb. (24-25)
 W. H. McCANN, Register.
 Consolidated Notice for Publication. Land Office at Chadron, Nebraska, February 4, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Conrad Lindeman, Clerk of the District Court, at Harrison, Neb., on March 19, 1890, viz:
 ALBERT M. TAYLOR, of Harrison, who made D. S. filing No. 1629 for the n¹/₂ sec 4, tp 21, r 26 w
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Edward A. Weir, Asa C. Davis, S. Barker, Delana M. Sutton, all of Harrison, Nebraska.
 Martha A. Moore, of Harrison, Nebraska, who made D. S. No. 1967 for the n¹/₂ sec 35, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Arthur W. Emery, Warren W. Hall, Albert E. Ramsey, Nathaniel E. Armstrong, all of Harrison, Nebraska. (24-25)
 W. H. McCANN, Register.
 Consolidated Notice for Publication. Land Office at Chadron, Nebraska, February 4, 1890.
 Notice is hereby given that the following named settler has filed notice of her intention to make final proof in support of her claim, and that said proof will be made before Conrad Lindeman, clerk of the district court, at Harrison, Neb., on Mar. 17, 1890, viz:
 EMMA J. CHURCHILL, of Harrison, Nebraska, who made D. S. No. 2201 for the n¹/₂ sec 22, tp 21, r 26.
 She names the following witnesses to prove her continuous residence upon and cultivation of said land, viz: Del M. Lun, of (then) Neb.; Elvin J. Spaulding, of Crawford, Neb.; M. Knapp, and Albert T. Hughson, of Harrison, Nebraska.
 And John W. Pratt, who made D. S. filing No. 73 to the n¹/₂ sec 31, n¹/₂ sec 32, tp 21, r 26, part of the above described tract, is cited to appear at the same time and place, and show cause why the above proof should not be allowed and his filing cancelled. Also
 Wilhelm Gahke, of Harrison, Nebraska, who made D. S. No. 1411 for the n¹/₂ sec 30, tp 23, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Andrew Dahlman, August John Feveterherm, August Westerman, all of Harrison, Nebraska. Also
 JOHN CORBIN, of Harrison, Nebraska, who made D. S. No. 1866 for the n¹/₂ sec 4 and w¹/₂ sec 15, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Richard Simler, Albert M. Taylor, Charles L. Tubbs, Elbert M. Carrier, all of Harrison, Nebraska. (24-25)
 W. H. McCANN, Register.
 Consolidated Notice for Publication. Land Office at Chadron, Nebraska, February 4, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Conrad Lindeman, clerk of the district court, at Harrison, Neb., on March 19, 1890, viz:
 ZACHARIAH AMOS, of Harrison, Neb., who made D. S. No. 2388 for the n¹/₂ sec 35, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Nathaniel E. Armstrong, Warren W. Hall, Elbert M. Carrier, William E. Moore, all of Harrison, Neb. Also
 WARREN W. HALL, of Harrison, Neb., who made D. S. No. 1861 for the w¹/₂ sec 4 and w¹/₂ sec 15, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Zachariah Amos, Nathaniel E. Armstrong, Arthur W. Emery, Albert E. Ramsey, all of Harrison, Neb. Also
 NATHANIEL E. ARMSTRONG, of Harrison, Nebraska, who made D. S. No. 2388 for the sec 34, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Warren W. Hall, Zachariah Amos, Elbert M. Carrier, William E. Moore, all of Harrison, Neb. (24-25)
 W. H. McCANN, Register.

Consolidated Notice for Publication.
 Land Office at Chadron, Nebraska, January 27, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Conrad Lindeman, clerk of the district court, at Harrison, Neb., on March 16, 1890, viz:
 Samuel H. Jones, of Harrison, Neb., who made H. E. No. 2614 for lots 1 and 2 and w¹/₂ sec 25, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Charles E. Verity, Charles E. Holmes, Willet H. Green, Elias L. E. Malar, all of Harrison, Nebraska. Also
 WILLIAM E. MOORE, of Harrison, Neb., who made H. E. No. 2584 for the w¹/₂ sec 25, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: James W. Scott, Henry C. Armstrong, Arthur W. Emery, Albert E. Ramsey, all of Harrison, Neb. Also
 THOMAS W. DIXON, of Harrison, Neb., who made D. S. No. 1966 for the sec 30, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Joseph C. Parsons, Charles T. Green, Nathan D. White, John B. Bradley, all of Harrison, Nebraska. (24-25)
 W. H. McCANN, Register.
 Consolidated Notice for Publication. Land Office at Chadron, Nebraska, January 27, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before Conrad Lindeman, clerk of the district court, at Harrison, Neb., on March 11, 1890, viz:
 August John, of Harrison, Neb., who made H. E. No. 273 for the w¹/₂ sec 4 and n¹/₂ sec 25, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Jerry Will, Carl Feveterherm, John Ludwig, John Herman, all of Harrison, Nebraska. Also
 JOHN DUMELSHAER, of Harrison, Neb., who made D. S. filing No. 2,000 for the w¹/₂ sec 2, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Charles Sauter, Hans Denker, Ferdinand Podol, William Schulz, all of Harrison, Neb. Also
 Kellum F. Lindsey, of Harrison, Neb., who made D. S. No. 399 for the w¹/₂ sec 4 and w¹/₂ sec 15, and w¹/₂ sec 16, tp 21, r 26.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Warren W. Hall, Richard Simler, John H. Bartell, Charles E. Davis, all of Harrison, Nebraska. (24-25)
 W. H. McCANN, Register.

Consolidated Notice for Publication.
 Land Office at Chadron, Nebraska, Jan. 29, 1890.
 Notice is hereby given that the following named settler has filed notice of his intention to make final proof in support of his claim, and that said proof will be made before the Clerk District Court, at Harrison, Neb., on Mar. 2, 1890, viz:
 Isaac B. Hendrix, of Harrison, Neb., who made D. S. No. 638 for the sw¹/₄ sec 2, tp 27, r 25.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Charles Sauter, Hans Denker, Ferdinand Podol, William Schulz, all of Harrison, Nebraska. Also
 JOHN A. GREEN, of Harrison, Neb., who made D. S. filing No. 9,433 for the n¹/₂ sec 4, township of range 28, sec 2, tp 27, r 25.
 He names the following witnesses to prove his continuous residence upon and cultivation of said land, viz: Charles Sauter, Hans Denker, Ferdinand Podol, William Schulz, all of Harrison, Nebraska. (24-25)
 W. H. McCANN, Register.

NOTICE OF CONTEST.
 U. S. Land Office, Chadron, Neb. / January 17, 1890.
 Complaint No. 2914 having been entered at this office by Thomas J. Irvine, agent for Benjamin F. Moore, Alex Moore, and Mattia Miller, heirs at law of Catharine Moore, deceased, for failure to comply with law as to timber culture entry No. 3424, dated February 19, 1888, upon the n¹/₂ sec 5, tp 23, r 24, in Sioux county, Nebraska, with a view to the cancellation of said entry; contestant alleging that the said Henry Fleming did not break or cause to be broken five acres this year after entry, and has been summoned to appear at this office on the 17th day of April, 1890, at 10 o'clock a. m., to respond and furnish testimony concerning said alleged failure.
 The said parties are hereby summoned to appear at this office on the 17th day of April, 1890, at 10 o'clock a. m., to respond and furnish testimony concerning said alleged failure.
 Testimony of witnesses will be taken before John F. Arnold, a notary public, at his office in Benningford, Neb., on the 10th day of March, 1890, at 10 o'clock a. m. (24-25)
 T. F. POWERS, Receiver.

NOTICE OF CONTEST.
 U. S. Land Office, Chadron, Neb. / January 13, 1890.
 Complaint No. 2603 having been entered at this office by Thomas J. Irvine, agent for Benjamin F. Moore, Alex Moore, and Mattia Miller, heirs at law of Catharine Moore, deceased, for failure to comply with law as to timber culture entry No. 3416, dated March 3, 1886, upon the n¹/₂ sec 2, tp 27, r 24, in Sioux county, Nebraska, with a view to the cancellation of said entry; contestant alleging that the said claimant has failed to break 5 acres during the year after entry, and that he has failed to cultivate the five acres broken the first year after entry, and has been summoned to appear at this office on the 17th day of April, 1890, at 10 o'clock a. m., to respond and furnish testimony concerning said alleged failure.
 Testimony of witnesses will be taken before John A. Green, a notary public, at his office in Benningford, Neb., on the 10th day of February, 1890, at 10 o'clock a. m. (24-25)
 T. F. POWERS, Receiver.

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