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The Semi-Weekly Tribune.

IRA L. BARE, EDITOR AND PROPRIETOR

SUBSCRIPTION RATES. One Year, cash in advance, \$1.25. Six Months, cash in advance, \$0.75. Entered at the North Platte (Nebraska) postoffice as second-class matter.

Republican Ticket.

For Judge, 13th Judicial District—H. M. GRIMES. For Treasurer—E. B. WARNER. For Clerk—S. C. WILLS. For Sheriff—WILEY MATTHEWS. For County Superintendent—MARY E. HOSFORD. For County Judge—JAMES M. RAY. For Clerk of District Court—W. C. ELDER. For Surveyor—F. H. BENSON. For Coroner—N. F. DONALDSON. For Co. Commissioner—2d Dist.—J. R. RITNER.

SOME of the men who were instrumental in organizing the pop party in Lincoln county, are now among those who most roundly denounce it. They pronounce it immeasurably more corrupt than either of the two old parties.

THE present county treasurer has a lead pipe cinch on that interest money which he says he turned into the treasury, in case the statute is declared void by the supreme. In that event Mr. Buchanan will demand and receive the money.

TIM KELHER will soon make a tour of the county in the vain attempt to make voters believe that Jake Miller is the "only" sheriff Lincoln county ever had. As Miller's election means dollars for Tim it is only natural that he make an attempt to convince the voters that the moon is made of green cheese.

How funny would it have been had J. Gusty Beeler had to have delivered T. Furioso Gant's oration instead of his own at the ratification (?) meeting—more properly a "wake"—last Saturday evening. Yet such would have been the case had the supreme court ruled differently upon the irrigation law. However, it is not singular that judges of equity and law should disagree from J. Gusty.

THE revolt of the Catholic societies in New York against Tammany, on the issue forced by the bosses against the closing of the saloons on Sunday, is one of the most significant political occurrences of the year, says the Lincoln Journal. The organs of catholicism in the city have given most emphatic warning to the democratic leaders that if they force that issue nothing will prevent the loss of thirty thousand Catholic votes to the Tammany organization, no matter what other political question may arise.

GOVERNOR CULBERSON, of Texas, has convened in special session the legislature of the Lone Star state to enact the necessary legislation to prevent the Corbett-Fitzsimmons fight. It seems the law in regard to prize-fighting in that state is very impotent, hence the need of amendment. It is announced by the twenty-two populist members that they will vote against the emergency clause, thus making the proposed statute inoperative in time to prevent the much talked of battle between these brutes. Comment upon such a course is unnecessary.

IN EVIDENCE of the dissolution of the "pop" party in Lincoln county is the fact that A. M. Stoddard, its candidate four years ago for county commissioner, and committee man for Hinman precinct, presented himself at the convention last Saturday before the committee on credentials and asked to be given a seat in the convention. He said that he had called a primary but no one attended the meeting, hence he had no credentials. But two short years ago the vote in that precinct on the head of the county ticket stood, republican 16, populist 13, democrat 4. Further comment is unnecessary.

How any free silver man can be deluded by the pretensions of the populists when their practices are so at variance with the future use of the white metal, is almost beyond comprehension. Take all the currency measures introduced in congress by Peffer, Simpson, Watson, Kem, and all of them, and we find them advocating the issuance of billions of dollars of irredeemable fiat money. This was the pet theory of the old greenbackers, and time has developed its folly. Yet it is what is desired by populist leaders, who only consider free coinage of silver as a letting down of the bars to a tremendous inflation of our currency.

ONE of the founders of the "pop" party in this locality who has been traveling extensively for the past two years, but has, however, grown lukewarm in the faith, gives it as his careful opinion that Hon. H. M. Grimes will easily win the judicial race in this district in a canter.

UNCLE "SI" has appointed Bob Oberfelder, of Sidney, to the position of state fish commissioner made vacant by the resignation of R. H. Oakley. Thus is another evidence afforded that Gov. Holcomb is turning his back upon his "pop" friends in the hope of getting a democratic renomination next year, for Mr. Oberfelder is a democrat of almost twenty years' standing in western Nebraska.

How does this design strike some of our word-building "pop" friends? HAWLEY MILLER, PAUL MEYER, BUCHANAN FRANKLIN, HAROLD, GUTHERLESS, ERICSON, BURRITT.

PROPERTY owners are surprised to find that their taxes this year are just about the same as they were last year and the year before. They were led to suppose—from the amount of blowing that the pop officials were doing—that taxes would be fifty per cent lower than heretofore; but alas and alas, the claim of the pops is nothing but wind. The levy remains up to the highest limit and the general fund has been exhausted for several months.

WEAK-KNEEED republicans, if there are any such in the county, need not worry over the fear of a successful fusion in Lincoln county between the democrats and populists. Matters political have so far progressed that this consummation is well nigh impossible. Besides the vote last fall shows the inability of such a coalition to defeat the republican party in this county. Both combined they are short the votes necessary to accomplish this.

"I had rather be a kitten, and cry mew, Than one of these same wretched ballad-mongers, I had rather hear a brazen cask tumbled, Or a dry wheel grate on the axle-tree; And that would set my teeth nothing on edge, Nothing so much as minding poetry; 'Tis like the forest gait of a shuffling nag."

Old Wm. Shakspeare, the poet of nature, had such fellows as the editor of the Era in view when he took down his old goose-quill and indited the above. When that editor's political experience equals his imaginative powers he will discover that attempts to deride and ridicule the opposition amount to but very little.

In speaking of Judge Maxwell's letter of acceptance, the York Times says: All during his vigorous manhood and until he had passed the prescribed limit of three score and ten the republican party kept Judge Maxwell in office, and when his own childish and feeble public utterances show that the party could not in justice to the public do otherwise than retire him, he embraces in his trembling and palsied arms the faded heart of populism to share with her for a few brief moments the ignominy of her wretched life and the pangs of her miserable death.

THE recent decision of the Nebraska supreme court upon the irrigation law, the syllabus of which is given in another column in this paper, will have a very stimulating effect upon works of this character in the state. When it is followed by another decision from the same tribunal embracing the right of communities to form districts and vote bonds in aid of the construction of enterprises of this character, then will the solution of the problem of the reclamation of a great portion of the semi-arid lands of the west be solved. For the opinion of many leading lawyers is that the decision of the California federal judge touching the matter of irrigation will count for naught, if there is such a thing as judicial ethics. By them it is claimed that when a matter of the taxation of the property in a state for a special purpose has been passed upon by the highest court in that state, that the supreme court of the United States will rarely set aside the finding—thus indicating that it is a matter for solution by the people of the particular state affected. With these impediments to the prosecution of these enterprises removed we may confidently expect capital to be more prompt in seeking a profitable investment in this direction. Speed the day when the highest court in the land will recognize the right of the citizens of any community to tax themselves to obtain any improvement which will redound to the general interests of the locality.

SYLLABUS OF THE IRRIGATION CASE.

The Paxton & Hershey Irrigating Canal & Land Company vs. The Farmers and Merchants' Irrigating & Land Company. Appeal from Lincoln county. Affirmed. Opinion by Justice Post.

The provision of section 11, article 3 of the constitution, viz: "No bill shall contain more than one subject and the same shall be clearly expressed in the title," is intended to prevent surreptitious legislation and not to prevent comprehensive titles.

2. The term "irrigation" as employed in the title of the act of March 27, 1889, viz: "An act to provide for water rights and irrigation, and to regulate the use of water for agricultural and manufacturing purposes, etc.," is used in its popular sense and implies the means of conducting water to the lands to be supplied. The provision therein for the acquiring by irrigating companies of the right-of-way for canals and ditches, accordingly held to be within said title, and not to conflict with section 11, article 3 of the constitution.

3. To the legislature and not to the courts, has been committed the power to determine when the exigency of the public demands the taking of private property, the limit of judicial interference being the duty to declare void acts clearly in conflict with the constitution.

5. There is no arbitrary standard by which to determine whether the purposes to which property is appropriated possesses the element of public utility. Public use in a constitutional sense may be confined to the inhabitants of a restricted locality or neighborhood, but the use must be common, and not to a particular individual.

5. The use of water for the purpose of irrigating contemplated by the act of March 27, 1889, known as the Rayner irrigation law, is a public use within meaning of the constitution.

6. Section 8, article 2 of the Rayner irrigation law confers upon irrigating companies organized under the laws of this state, power to acquire the right-of-way for necessary canals, reservoirs, etc., by condemnation.

7. The word "if" in the first line of the section last above mentioned is evidently an interpolation having no relation to the body of the section, without sensible meaning, and should accordingly be disregarded in giving effect to the provisions of the act.

8. The provisions of section 3 of article 1 of the irrigating law of 1889, viz: "No tract of land shall be crossed by more than one ditch, etc.," held to include lands owned by corporations as well as by natural persons.

9. A proviso which would operate to limit the application of an enacting clause, general in its terms, will be strictly construed, and includes no case not within the letter of the conception.

10. The irrigation law of 1889 does not confer upon one irrigating company any right to connect with the ditches of another or take water therefrom without the consent of the proprietor.

11. What is meant by the exception contained in section 3, article 1 of the act above mentioned is that no tract of land shall, without the consent of the owner, be burdened with two or more ditches for the watering of the same territory. The question is not whether the first ditch may be so enlarged or extended as to answer the purpose for which the second is designed, but whether it may, as constructed be made to supply the lands within reach of both.

North Platte's Gain. Rev. George A. Beecher and family expect to leave next week for North Platte, where they will be located for the future. Mr. and Mrs. Beecher, during their stay here have made a host of admiring friends who greatly regret their departure. What is Sidney's loss will be North Platte's gain.—Sidney Telegraph.

A Long Trip. THE TRIBUNE clips from a Pennsylvania exchange the following item: A party of emigrants arrived in Clearfield Tuesday morning, having traveled all the way from Goshen, Nebraska, in wagons. They left there June 20th and have been on the road ever since, averaging twenty-five miles a day. Their reason for so doing is the extremely hard times in that state, and this being the cheapest way of transportation for them, they started out to try their luck east.

Highest of all in Leavening Power.—Latest U. S. Gov't Report



MAY FIGHT IN MEXICO.

Next Move of the Managers Will Be to Try Laredo.

CORBETT INSISTS ON A MILL

Federal Authorities Would Use Troops to Prevent the Exhibition From Taking Place in the Indian Territory.

ATLANTA, Oct. 3.—When Champion James J. Corbett was shown the dispatches that both houses of the Texas legislature had passed the antiprize fight bill, he said: "We are under contract with Dan Stuart and the Florida Athletic club and propose to live up to our part of the contract. We are going to Texas under the terms of our contract, and I am going there to fight. I expect to live up to my part of the agreement. I am anxious to fight and will go anywhere to pull it off, provided the purse is all right."

Manager Brady said: "The next move will be to try Laredo, but one thing is certain, we are not going into Mexico unless we have an iron-clad guarantee that we will not be troubled. We know how to take care of ourselves in this country, but are not going to take any chances with foreign governments. We are willing, however, to go into the Indian Territory if Stuart wants to take us there, for I believe the fight could be pulled off there. We will go at once to Texas and Corbett will continue his training. He is fit to go in the ring right now."

EL PASO, Tex., Oct. 3.—Telegrams are flying thick and fast between this city and Dallas in regard to bringing off the Corbett-Fitzsimmons fight across the river in Juarez, Mexico. Some time ago a guarantee fund of \$30,000, Mexican money, was offered to have the fight there. It is believed the guarantee will now be doubled.

CANNOT FIGHT IN THE NATION.

Believed Enough Law Can Be Found to Prevent the Mill.

WASHINGTON, Oct. 3.—The action yesterday of the legislature of Texas having rendered it practically impossible for the Corbett-Fitzsimmons prize fight to take place in that state, the question has again arisen as to whether there was any statutory or territorial law against prize fighting in the adjacent Indian territory. Attorney General Harmon was questioned today on the subject, but he thought it would be manifestly improper and injudicious publicly to discuss what measures the government would take to prevent the fight, if attempted, in any of the territories, though he left no doubt as to the government's intention to avail itself to the very fullest extent of any authority it has in the Indian territory to prevent the fight, and it is believed enough law can be found to stop it. In the opinion of the attorney general it would be a public disgrace for the federal authorities to permit an exhibition of this character, and it might be positively stated on his authority that the fight will not take place in United States territory. Although the attorney general would not disclose his purposes, it is thought to be almost certain that if found necessary the United States troops will be ordered out to prevent the fight.

SUGAR BOUNTY CONTROVERSY.

Secretary Carlisle Willing to Hear Senator Manderson For Claims.

WASHINGTON, Oct. 3.—Secretary Carlisle has returned to the city and had an interview with ex-Representative Wilkinson of Louisiana, now collector of customs at New Orleans, in regard to the pending sugar bounty controversy. Mr. Wilkinson appealed to the secretary on behalf of the planters, on much the same lines as had been covered by Senators Caffrey and Blanchard at their interviews with the secretary. Mr. Carlisle, however, saw no way in which he could render the bounty claimants any assistance except possibly expediting the hearing and the decision of the court of claims. This he was willing to do. The comptroller, he said, had jurisdiction of the matter, and had announced in his decision that he must either decide adversely to the claimants or send the case to the court of claims. He had chosen the latter alternative and he (the secretary) had no power to overrule him. He was perfectly willing to hear Senator Manderson or any of the interested parties on the question of the right of the comptroller to send the case to the court of claims, but further than that he could not take any action.

It seems to be the opinion of the treasury officials that the case will remain at present without going to the court until congress meets in December.

Trick of an Election Officer.

SIOUX CITY, Oct. 3.—Hiram Carter of Sargeants Bluffs, in this county, was arrested on a charge of tampering with the ballots at a local election of which he was an officer last spring, by opening the ballot boxes before the polls were closed, investigating the contents and then sending men out to bet on the results.

Cruisers Awaiting Results.

TAMPA, Fla., Oct. 3.—The cruiser Cincinnati and the cutter Morrill are here awaiting results of the cyclone. Captains of both vessels deny the story that Spanish warships landed men on the keys.

Found Dead in His Laboratory.

CAMBRIDGE, Mass., Oct. 3.—Dr. Elliott Rogers of Chicago, formerly of Worcester, instructor in chemistry at Harvard, was found dead in his laboratory.

Zelaya Begins the Railway.

MANAGUA, Nicaragua, Oct. 3.—President Zelaya inaugurated the work on the railway, already surveyed from Masaya to Diriamba.

NORVAL BY ACCLAMATION.

Everything Harmonious at the Republican Convention at Lincoln.

LINCOLN, Oct. 3.—The Republican state convention was called together by Chairman Morrill of the state central committee, who requested Secretary Tim Sedgwick to read the call, which was done. Chairman Morrill then introduced as temporary chairman Hon. John L. Webster of Omaha, who delivered an eloquent address on accepting the gavel.

The temporary organization was made permanent. The work of the convention was by acclamation and goes down in the political history of Nebraska as the most harmonious state meeting of Republicans. All nominations were by acclamation.

The platform was adopted with great enthusiasm. After denouncing the fallacies of all other political parties and declaring in favor of liberal pensions, the measure says:

We call upon all patriotic people, irrespective of former political affiliations, to join in a united front in bringing the state and nation by re-negotiating protection to American industries on the basis of that splendid law known as the "McKinley act," thereby securing an adequate revenue which guarantees the American market for American products and furnishing steady and permanent employment of American labor at American wages, and returning to the beneficial system of commercial reciprocity with our sister American republics.

Favoring the use of both gold and silver standard money, we oppose all monetary legislation that would result in either gold or silver monometallism, and demand the maintenance of a national currency, over dollar of which, whether gold, silver or paper, shall be of equal value and of equal debt paying or purchasing power.

We denounce the Democratic national administration for its stupid neglect of American interests in its foreign policy, and its cowardly abandonment of the doctrine of the fathers of the republic, that guarantees the friendly offices of this government in favor of the independent states of the American continent, threatened with spoliation or conquest by an European power. We most heartily sympathize with the people of Cuba in their desire to attain independence and self-government, and demand in case Spain makes good its threats to wage a war of extermination against them, the recognition of the belligerent rights of the Cuban republic by the United States.

The Republican party, always foremost in the march of progress, recognizes the importance of irrigation to the people of the western part of the state, and we pledge the party to the same friendly spirit in the consideration of the future legislation as it exhibited toward these interests in the enactment of the first general irrigation law in 1880, and again in 1886, upon its return to power in both houses of the legislature, when it greatly extended the features of the law of 1880 and included provisions for the organization of irrigation districts.

And we hereby ask the congress of the United States to enact such laws as will determine the rights between citizens of several states in the use of water for irrigation purposes from streams flowing through two or more states.

To further aid in the development of irrigation, we would respectfully request our congressional delegation to urge the passage of a law granting to the states for this purpose the remaining public lands undisposed of within our borders.

We congratulate the people upon the restoration of the sugar bounty and the wonderful impetus given to this industry on account thereof, but we demand that the books of those that receive the benefits of the bounty of state and nation should at all times be open to the inspection of lawful authority and that sworn statements of costs of production should be furnished in order that justice may be done to the people, as well as to the recipient.

Orator on Buffalo Bill.

WASHINGTON, Oct. 3.—The friends of William F. Cody (Buffalo Bill) gave him quite an ovation on his appearance in Washington. Many of the army officers stationed in Washington knew Cody on the frontier in days gone by and they renewed their acquaintance by presenting him with a floral garland. After the performance Mr. Cody was entertained at the army and navy club, where the diplomatic representatives of the nations participating in the congress of riders met him.

Pushing the Case of Miss Flagler.

WASHINGTON, Oct. 3.—District Attorney Birney said that he would bring the case of Miss Flagler, daughter of General Flagler, chief of the ordnance bureau of the army, who killed a negro boy named Green while he was stealing fruit from a tree, before the grand jury now in session. Judge Cole charged the grand jury to report on the condition of the government printing offices and other public buildings reported to be dangerous to the safety of the employees.

Opening Game of Temple Cup Series.

CLEVELAND, Oct. 3.—About 7,000 people witnessed the opening game between the Baltimore and the Cleveland teams in the Temple cup series. The weather was perfect. The fielding being sharp on both sides, though the visitors made a better showing in the score. Young was in the box for the home team, while McMahon handled the ball for the visitors. The score was: Cleveland, 5; Baltimore, 4.

Unable to Agree on Lumber Rates.

CHICAGO, Oct. 3.—The general freight agents of the western roads were unable to reach an agreement as to the equalization of lumber rates from Chicago and Mississippi river points to Missouri river points and points beyond. They referred the whole matter to a committee of the northwestern roads to prepare a plan and submit a report to a subsequent meeting to be held in St. Paul.

Coxey Challenges Campbell to Debate.

MASSILLON, O., Oct. 3.—J. S. Coxey and ex-Governor Campbell are announced for speeches in Zanesville Oct. 12. Coxey has challenged Campbell to meet him in joint debate in that city on the date named.