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### JUDGE CHAPMAN

ON THE RIGHTS OF THE SHIPPER AND THE R. R. co's.

The case of Raymond Bro's., of Lincoln, vs. the U. P. R. R., decided the other day in the district court of Lancaster county, is attracting widespread attention. The case makes a new departure, it is thought, in regard to the rate war between the individual, be he producer or shipper, and the R. R. lines of the country. It was a test case which called to the trial court in Lancaster county Mr. Poppleton, the ablest lawyer in the employ of the U. P. R. R. Co. The main questions were: first, whether the R. R. Co's, could establish such a rate as they thought fit to fix between San Francisco, California, and Lincoln, Nebraska, and compel the shipper there (at Lincoln) to pay the freight charges, whether the same were exhorbitant or not, before they could take posession of their goods; and second, whether the remedy of replevin would lie in favor of the shipper, who, in the case of Raymond Bros. tendered what they considered was a fair compensation for carrying their goods from San Francisco, Cal., to Lincoln, Neb. and upon refusal of the U. P. agent at Lincoln to deliver the goods sued out a writ of replevin for the same. The case is considered second, only, to the late decision of our surpreme court in its construction of the statute establishing a R. R. commission in this state touching the rights of the public and the railroads of the country and Judge Chapman's exposition of the law so far as comment has been made by the press of the state meets with universal commendation. The following from the Omaha Bee correspondent of Dec. 1, contains a fair statement of the facts of the case and the interpretation of the law as

laid down by Judge Chapman. FROM THE BEE'S LINCOLN BUREAU. The most important case heard in the district court the present term was given to the jury at noon yesterday. It was the first of many commenced by Lincoln wholesalers the past six months against the railroads, in which the firms refused Co. ys the Union Pacific railroad, and the goods replevined were several car loads of sugar. These goods were shipped cents per 100. At Omaha they were re- the center, shipped without breaking bulk to Lineoln and a local rate of 15 cents per 100 was added, making the total rate to Lin-coln from Sau Francisco 75 cents. The Lincoln wholesalers objected to the added local rate, holding that the Union Pacific, in operating a line to Lincoln, should have sent the freight via Valley direct to this point without doubling inback. Lincoln, it is stated, is but twen ty miles further distant from san Francisco than Omaha, and consequently when the goods arrived the wholesalers here tendered to the Union Pacific the ragular 60 cent rate and the proportionate additional rate to cover the extra twenty miles. This the Union Pacific refused and the goods were replevined and it is for the possession of the goods that the suit is brought. The case has debt for the past five months of the fiscal been heard by Judge Chapman and a year amounts to \$38,245,684,35. The jury. Mr. Poppleton, of Omaha, and Mr. Kellev, of this city, appeared for the road, and Messrs. Abbott, Lansing & 258,701.19, a slight decrease as compared Holmes for the wholesalers, The case has called the entire bar of the city and many citizens as spectators at the court, and the arguments were listened to close ly by all. Mr. Poppleton resurrected the serves held for the redemption of national same moldy chestnut that he used here bank circulations show a slight decrease tofore in arguments of jurisdiction be-fore the state board of transportation, gold coin and bullion in the Treasury elaiming that the Union Pacific was a federal road and subject only to fed- shows a very slight increase. The increase eral jurisdiction and federal courts, of silver holdings is also slight. There The claim was over spled, however, by is a decrease of marly \$9,000,000 in the the court. Mr. Poppleton gave himself largely over to sophistries and discoursed at great length upon the poverty of his elient; that it didn't pay dividends, but have increased over \$7,460,000. The did pay its help and its debts. There total gold and silver coin and bullion was required a great deal of imagination | beld by the Treasury amounts to \$522, to swallow the latter statement in the light of public facts. Judge Chapman's charge to the jury was listened to with elese attention, and is fairly sweeping in The government receipts for the month its interpretation of the law. It was in show a falling off as compared with substance as follows: In arriving at 2 October. The falling off was principally conclusion as to whether the defendants under the head of customs. The expendcharges are unjust you are to consider all the evidence. It is competent to take | i tures, on the other hand, show a coninto consideration testimony showing siderable increase, which is and to the charges made by defendants with other disbursements on account of pensions. lines. If you find from the evidence The amounted, according to the Treascharged a less rate for the same glass of ury statement, of over \$18,000,000. In that the defendants, with other lines, goods over the same lines from San all other items of expenditure there has Francisco to points of like or greater been a decrease, which has been most distance, such fact is competent to be noticable under the head of interest and considered in deciding whether the rate is unreasonable or unjust. If, from the evidence, it appers that the charge from San Francisco to Lincoln is greater than to points a greater distance, the presumption would be that the rate charged plaintiffs is unreasonably high, and, if not overcome by testimony, your verdict should be for plaintiffs. In determining from the evidence what is a reasonable rate you are instructed that such a rate is one that will compensate defendants for the actual cost of transportation and in so determining you should consider products was withdrawn from the treasall testimony submitted to you. You are ury; but the prices of tea and coffee remainfurther instructed that if you find from ed as high as ever. The importers made the the evidence that defendant made an agreement to ship goods at a rate not to

If plaintiffs tendered this proportionate rate you are to find for plintiff. If, in conjunction with other lines of road, as common carriers, defendants have imposed an unreasonable charge, defendants would be liable and, upon tender of a fair and unreasonable compensation. You are instructed that defendant is a common carrier subject to all the duties and liabilities of such position and

without unjust discrimination. The jury returned a verdict at 5 p. m finding for the plaintiff and finding, in ddition, that the plaintiff had tendered s too much for a reasonable rate under the testimony. Notice of appeal was at

#### A DEMOCRATIC OUTRAGE.

The population of Dakota is now nearly six hundred thousand; it has to-day a greater number of inhabitants than eight of the states that have been admitted to the Union for many years; it has clamored every requisite act, and yet the party which throttles a free ballot in the south and becomes a party of obstructionists in the north, again throttles the will of more voters than are found in any one of the democratic states except three. To fair minded men; to men who are consciencously honest from principle, the denial of Dakota's admission as a state on such low partisan grounds is disgust ing. Contrasted with the policy of the repulient party, which has at all times treated opponents with feirness, which pelled to follow, meaning the laundry and bas never attempted, by any unfair or unlawful means to prevent the admission of a democratic territory, but on the contrary has allowed the admission of demogratic territories without a hand being raised to prevent it, when every ranch of the government was in repub

lican hands, it looks even worse. Congress is again in session; Dakota is again seeking for admission. What will be the result? Democracy if it is true to its old antebellum principles which have actuated it a great deal of the time, even since the war, will undoubtedly, with a coolness and effrontery worthy only of a M xican bandit, vote unanimously against her admission.

#### MISSOURI REPU-LICANS FOR BLAINE.

MARIVILLE, Mo., Noy. 28 .- The choice to pay the rates demanded on California of Missouri Republicans for President is shipments, and replevined their goods. James G. Biaine. Commence in the cen-The case on trial was Raymond Bros. & ter of the following diagram and read in any direction and the answer is the same - viz: James G. Blaine. The diagram from California to Omaha at a rate of 60 | may be read in more than 500 ways from



THE Treasury debt statement shows an increase of the debt for the month of apon the payment of the rate tendered \$1,490,350.99. The net decrease of the year amounts to \$38,245,684.35. The net cash in the treasury amounts to \$55 .with a month ago, but a considerable increase as compared with the preceeding months of the fiscal year. The net repromium .- Bradstreets.

Thosa peculiar statesmen who contend that the removal of a fariff duty necessarily implies a gain to the consumer would do well to study a fact suggested by Senator Edmunds. "You remember." he says, "that the tax on tea and coffee beat generated from the friction of the two was taken off some time ago, and what pieces of wood causes the punk to ignite.

The income from these of the Hydolia is an imitation of was the result? The income from these exceed 60 cents to Omaha, then you are a result does not always ensue in such ful of augar of lead in a pailful of cold water instructed that defendant can only charge | cases, of course; but it follows frequent- and soak the article one hour before washing. a proportionate rate for extra miles to ly enough to prove that the theory that

prices must fall when tariff duties are removed will not do to depend upon as a rule of legislative action. - Globe Demo-

.The statement of the comptroller of the currency shows that the total amount of national bank circulation outstanding Dec. 1st was \$269,649,141, which was bound to carry and deliver goods for a \$2,152,133 less than for the month of just, reasonable and fair compensation October, and for the year a decrease of \$29.367.730.

> The democratic majority in the lower house of congress has dropped from eighty to eleven and yet the democratic press claims, that the country after g'ving democracy a trial is pleased with it.

### OUR MONGOLIAN DEAD.

New York's Chinese Burying Ground De-

scribed by Wong Chin Foo. There are now over 9,000 Chinamen in New York. They support thirty-two general Chifor admission as a state; has performed five barber shops, four fashionable tailors, six fortune tellers, nine doctors and four well filled cemeteries at Evergreens. One of these ins at least 300 Chinamen, all of whom died within the past two years. The second largest of the quartet is probably that of the Lun Gee Tong Benevolent society. It contains about 200 dead. The other two are comparatively new, and have plenty of rooms to let. In all, the dead population of our New York Chinamen is estimated at about 600. Thus far the mortality among the Chinese here has been much greater than that of any other race among us. The nine Chinese physicians attribute this mortality to their peculiar diet, the hard climate, and the nature of the work most of them are comeigarmaking business. Over 75 per cent. of deaths have been that of consumption.

the opinion of most of these doctors half of the Chinese here would have been dead or dying were it not for the reason that most of them eat American food in place of the expensive groceries imported out of China. It s also noted that the majority of the deaths g the past year have been the floating lation of the Chinese colony who were of living in the several Chinese restaurants on Mott street, where is supplied every variety of foods of Chinese origin produced upon Chinese soil, and only suitable for people living in that peculiar climate. Living now in a harder climate, they are advised by their physicians to eat harder and more nutritious food. Opium smoking in a mild form is likewise advocated as a preventive to the many dangers of a strange cli-mate, as, with only about a dozen exceptions, the dead were all anti-opium smokers.

The gravestones in the various Chinese cemeteries are almost like the Chinese themselves—"they all look alike," None of them is more than two feet high by one wide. Study at the foot of each little mound, large fleecracker letters are cut upon them, ting the name, ago and birthplace of deceased, so that in future should ds wish and be able to have their bones taken to China they could find them.—Wong

Chicago's Garbage Crematory. The city health department of Chicago is directing considerable attention to the question of getting rid of the city garbage. Health Officer Thompson has been to Des Moines, Ia., and witnessed the workings of the garbage crematory in that city, of which he says: "The furnace is 18 feet long by 4 feet 6 inches wide, has a capacity of 50 yards of garbage daily, and cost, with the building, about \$1,700. About two feet from the lottom of the furnace is a solid iron plate, and above that, and upon which falls the substance to be burned, is a heavy iron grat-ing. In the center of the furnace is a circular hole, closed by a trap, into which was thrown, while I watched it, two dead horses, seven logs, eighteen barrels of garbage, three hole of manure, fifteen bushels of rotten eggs and three barrels of rotten fish. This was all consumed in one hour, with no offensive smell from the combustion and no smoke.

The orrnace was cold when started. "There are two fires, one in front and another in the rear. The rear fire was started first. The refuse is dumped upon the grating through the manhole, thus being kept away from the fire so as not to extinguish it. The heat from the flames in the front and rear rapidly dries the matter, and soon all is burning. The theory of the inventor is that if there were only one fire, the combustion would be offensive. The draught carries the smoke to the rear fire, which con-sumes the noxious gases and destroys all

The Des Moines crematory is simple, and considered by Mr. Thompson as effective as any that he has examined, and it does not remuch labor to attend it or consume coal to operate it. The authorities of suming furnace of some kind, and according to Health Officer Thompson's report, the one above described is the one most likely to be tried.-Industrial World.

### A Mother's Devotion.

The enthusiastic devotion of a mother to her babe is something passing the comprehension of the average man. The head of the family, kind, affectionate and self sacrificing though he may be, may approximate, but he can never attain, the sublime height of the self sacrificing love that stirs the mother's heart. To others this devotion is notice's heart. At others this nevotion is often a puzzle, so little do the joys of mother-hood extend beyond the sanctum in which the cradle is the shrine, and its tiny occupant the idol. But little as babies may be worshiped in this ultra matter of fact age, it is nevertheless true that a "new baby" in the home creates an interest equaled only by the by friging home of a new bride. And while the baby may be ever so unattractive in feature, sooner of later it comes to be regarded as the "loveliest baby in the world," so loving and lovable are its ways.—Herald of Health.

Queen Chariotte's Islanders.

The fire making implements of these people is a narrow piece of walrus tusk about a foot and a half long-shaped like a bow, and on which are engraved hunting scenes. To this is attached a season string. Fire is made by taking a turn of the string around a stick of hard wood, and by these means revolving it against another piece of hard wood; punk is placed from time to time in the hole worn in the under board, and the host operated from the friction of the tree. the cries of the birds, and is made by a series of whistles with which the natives become we'y expert. They also use the tomtom, made of walrus hides - New York Mail and Express.

To wash doubtful calicoes put a teaspoon-

### LIFE AT HONG KONG.

DINING FOR "FOREIGN DEVILS" AT ALL HOURS OF THE DAY.

"Pidgin English" and Its Difficulties. Everybody Carried About in Chairs or Palanquins - A Lady Takes in the Sights of the City.

The European taste is catered to so far as the food, or chow, as it is always called here, is concerned. The cooks are all Chinamen, and very excellent cooks, for while they look with pitying eyes on the "foreign devil" who has the had insie to prefer roast beef to stewed dog or tricasseed black cats' eyes, they yet reast the beef to a turn, and run a French cordon blen very closely in the piquancy of their sames. The curry and rice, which might almost be called the piece de resistance, so regularly does it appear at both tiffin and dinner, is better here, to my taste, than in India, the land of its birth. The condiments eaten with the curry constitute its

My boy, Ah Cheong, brings to my room every morning when I awaken, coffee, with narrow, erlsp strips of buttered toast; breakfast proper is served at 9 o'clock, tiffin or luncheon at 1, and dinner, which is the event of the day, at S. As there is nothing to do after dinger-no theatre, no opera, no amuse ment of any kind-the pleasure of dining is prolonged to the latest possible moment, and I do not know a more attractive sight than the dining room of the Hong Kong hotel every night from 8 o'clock to 11, or even later. The room is large, brilliantly lighted, filled with small tables ornamented with beautiful flowers and exquisite china. The jumkahs in constant motion keep the air cool and fresh. Everybody is in evening dress, and every nationality nearly is represented. The servants are all dressed precisely alike in long gowns of blue cotion, and wear little black satin skull caps with a red button on the crown.

There are about as many servants as guests and they move noiselessly about with no confeetly impassive, their expressionless almoud eyes ever on the alert, their long pigtails daugling behind. It is an evidence of want of respect for a Chinece servant to enter your presence with his cue twisted around his head; as unpardonable, for instance, as for your butler to present himself to wait at table without his coat. The head waiter is called "number one boy," and you send for him in all cases of emergency. He speaks pigdin English, as does everybody. And nearly all Chinamen understand it well enough to transact business with foreigners, but in the hotels all servants are provided with note or "chit" books, and if you cannot make yourself understood you writea "chit," which is carried to an interpreter in the office. It is astonishing that such an abominable combination and arrangement of words as one finds in pidgin English should have obtained as it has in China. It is so difficult to speak, that is, to speak well (i), that there places where it is taught, THW JINRICKSHAS.

There are horses and carriages in Hong Kong, and comparatively few jinrickshas, Everybody is earried about in a chair or palanquia slung on long bamboo poles, which rest upon the shoulders of the coolie bearers. tand for these chairs is just across the street from the hotel, arranged precisely as the cab stands are arranged in New York, with this difference, that the moment you emerge from the doorway and raise your finger to signal for a chair, not one, but the entire force bears down upon you with such a rush that you are completely engulfed in bamboo poles, chairs and coolies, the latter screaming at the top of their voices: "Takee my, Missy, takee my," and they only disperse when you finally fall helplessly into the first chair whose coolies succeed in tripping you up by the legs. Sometimes a policeman appears upon the scene, and then they scatter, followed by the policeman at full tilt, who, if he can, grals the coolie by his one and drags him ground the block. These chair coolies get sixteen cents an hour, and for that price they trot like mad, stopping occasionally to patronize a chow stand, but not to

As the Chinese language is so difficult to learn, no foreigner pretends to speak it, except, of course, the missionaries but everybody says "chin chin" (how do you doi) "Chop chop" (hurry up), and "man man" (stop). A little learning is, however, a dangerous thing, as was exemplified in the case of my friend, Miss Jackson, who, the day of her arrival among the heathen, took & chair with four bearers to see the sights. The coolies were instructed by the interpreter at the hotel before she set out on this John Gilpin expedition (as it proved to be), to take her through the principal streets and bring her back in three hours. All went well for some little time, the coolies trotted peacefully along the Queen's read-my friend enjoying the novel and fuscinating motion of the chair, and taking in the strange sights. QUICKENED THEIR PACE.

Finally a curio shop attracted her attention, and wishing to stop she rapped sharply on the side of the chair and said "Chopchop." To her great surprise, the coolies quickened their pace somewhat and pranced gayly on. "Chop-chop," she said again with rather more energy than before, and faster the bearers trotted. She now became thoroughly alarmed, and imagining the coolies were going to take her to some out of the way place and slay her, she took out her purse, and holding up a handful of Mexicans, said imploringly, while the tears started to her eyes "Chop chop" "Chop-chop!" At this the bearers broke into a run, and up hill and down dale, along the queen's road, through the Chinese quarter of the town, along the Bund, everywhere, in fact, those zealous, breathless coolies tore, bearing their helpless victim gallantly aloft, and finally brought up at the hotel on a dead run exactly on the stroke of the hour, their eyes starting from their heads, the perspiration stream-ing from every pore, their pigtails standing out straight behind, but "sustained and soothed by an unfaltering trust" that the handful of Mexicans would be theirs. Poor Miss Jack on was clinging desperately to the sides of her chair, the ince and and rapid jolting had knocked her boanet over one eye, her hair streamed down her back, blank despair was depicted on every feature, while between her sobs she still continued to ejaculate fainty at intervals: "Chop-chop"-

"Chop."
Ordinary mortals have two bearers, the swells have four, and most people find it cheaper, ps well as cleaner and more satisfactory, to purchase their own chair and livery for the bearers, instead of hiring from the public stands. The livery consists of a suit of cotton pajamas of any color fancied, trimmed with braid of contrasting color, and is usually of dark blue, trimmed with white, red or black braid, or of white cotton, trimmed with red or blue braid. The demimonde, who flourish on that eastern soil like the green bay tree, are always distinguished by the pure white livery of their bearers, unrelieved by the slightest shade of color.-Cor. New York Mail and Express

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