

# "The Bee Hive of the West" Hayden Bros Clothing Department.

Owing to our enormous sales here we were compelled to go to market and buy a new and complete line of Men's Boys' and Children's Clothing. The season being far advanced and manufacturers desirous of unloading their stocks we bought at our own price the latest and newest styles and fabrics. That is the explanation of the following prices:

## Boys' Clothing.

150 Boys' Reefer Summer Suits, ages 5 to 15, nothing finer made for wear and neatness, worth \$5.50 to \$7.50, at \$4.25 while they last. Boys' Combination Suits, with two pairs of pants and cap to match, strictly all wool, on sale at \$3.00. A new lot of all wool Boys' two-piece suits, in dark or light colors, cheap at \$4.50, for this sale at \$1.95. An extra value, double or single breasted suit for \$1.25. Those all wool Jersey suits are now only \$1.75. They are hard to equal.

## MEN'S SUITS.

Any regular clothing house would charge you \$10.00 for the \$3.75 Men's Suits shown during this sale. A Strictly all wool Victor or Cheviot suit in different shades, at half price, \$4.75. A \$15 Suit for \$10. These are the elegant Clay Worsteds, in blue or black, cutaway or sack, a beautiful line. A \$22.50 Prince Albert Suit for \$12.50, an excellent Sunday suit. At \$6.50 and \$7.50 you can get a suit that cannot be matched the country over. A pair of jeans at 75c, warranted not to rip.

## HATS.

Are the index of Character. In connection with our clothing department may be found all styles in Tourists and Hard Hats, at the lowest prices. Gents' Straw Hats at 15c, 25c and 50c. The latest wide-brimmed straw hats at 50c. Remember to write us for samples when in need of anything in the Silk or Dress Goods line. We have over forty different departments and you have no wants that cannot be supplied by

**HAYDEN BROS.,**  
Leaders in Low Prices and  
Standard Goods.

**OMAHA, NEB.**

**Mrs. J. Benson,**  
LADIES' FURNISHER.  
**OMAHA.**

## READ THESE PRICES—

Ladies' Skirts from 75c. to \$14.40.  
Ladies' Waists from 50c. to \$5.50.  
Narrow Val. Laces from 15c per doz. up.  
Butter Cream and Black Laces in Borden and other styles from 10c a yard to the finest quality. Our stock is very large and no old goods on our shelves.

We make a specialty of Ribbons and Handkerchiefs.  
Good quality Gloria Silk Sun Umbrellas from \$1.00 to \$5.00.  
Specially low prices on Ladies' and Children's Hosiery and Underwear.  
We have many lines of Ladies' Fancy Goods, not kept in other stores.

We are giving special prices in Gloves.  
In short, we make special prices in every department.

Come in or order by MAIL. We will give your order prompt and careful attention.

**MRS. J. BENSON,**

1519 Douglas St., near 16th,  
OMAHA, NEB.

**W. H. CUSHING,** President.  
**J. W. JOHNSON,** Vice-President.

**Citizens' Bank,**  
PLATTSBROUGH, NEB.

Capital paid in - - - \$50,000

DIRECTORS:  
J. W. Johnson, W. D. Merriam, Wm. Wetenkamp, D. C. Morgan, Henry Eikenberry, M. W. Morgan and W. H. Cushing.

A general banking business transacted. Interest allowed on time deposits.

**First National Bank**  
PLATTSBROUGH, NEB.

Capital, paid up - - - \$50,000

OFFICERS:  
JOHN FITZGERALD, President  
F. E. WHITE, Vice-President  
S. WAUGH, Cashier

DIRECTORS:  
John Fitzgerald, D. Hawksworth, F. E. White, S. Waugh and Geo. E. Dovey.

Careful attention given to the interests of customers. Collections made and promptly remitted for. Highest market price paid for county warrants and state and county bonds.

It never fails—Gering's Blackberry Cordial for summer complaint.

## MARSHALL WINS.

County Judge Ramsey Decides the Weeping Water Councilmanic Contest Case in His Favor.

The state of Nebraska in county court for Cass county:

GEORGE H. HAYWOOD, contestant,

vs.

WILLIAM MARSHALL, contestee.

Now on this 5th day of June, A. D. 1894, it being the fifth day of the June, A. D. 1894, term of said court, this cause having been heretofore to-wit: on June 4, A. D. 1894, argued and submitted and by consent taken under advisement until such time as the court might reach a conclusion; and the court, being well and fully advised in the premises, finds generally as follows:

First. The petition, among other things, alleges, in substance, that an election was held in the city of Weeping Water for councilman in the second ward of said city on April 3, 1894, and that the contestee herein, being a candidate for said office, received forty-three votes, and a certificate of election was awarded him; that on and prior to said election, said contestee was a foreigner, a subject of Great Britain, and not a citizen of the United States, therefore ineligible to hold said office; that contestee was not a tax-payer at the time of said election, and for which reason was disqualified to hold said office. These allegations are denied in the answer, except said election and certificate thereof.

Second. The testimony of John Marshall, father of contestee, taken by contestant, shows that in 1870 he was a resident and subject of Great Britain, residing at Yorkshire; that in 1872 he emigrated from England and settled in Cass county, Nebraska, where he has since resided; that he brought with him his son, the contestee herein, then about nine years old, and who has resided in Cass county, Nebraska, ever since, and continuously, except a few weeks when he was temporarily absent. The testimony of said John Marshall further shows that said contestee pays taxes on certain property.

The deed record admitted in evidence shows lot two (2), block seventeen (17), Noble Heights addition to Weeping Water, Nebraska, to be deeded to William and A. U. Marshall.

The evidence shows that on October 7, 1875, in the office of the clerk of the district court for Cass county, Nebraska, the said John Marshall, father of contestee, under oath, and in the manner provided by law, declared his intention to become a citizen of the United States. The evidence is not conclusive (only circumstantial) that the said John Marshall did or did not take out final naturalization papers prior to the time his son, the contestee herein, attained his majority.

Two questions are presented for solution by the pleadings and evidence:

First. Was contestee herein, at the time of said election, a tax-payer within the meaning of the statutes prescribing qualifications of councilmen?

Second. Was contestee, at the time of said election, an alien and a subject of Great Britain, by reason whereof he was ineligible to the office?

The first question seems disposed of on the testimony of John Marshall, father of contestee, and the record evidence of part ownership of the lot herein before described, and the finding must be in favor of contestee.

The second proposition is more difficult of solution, as it involves questions most intimately connected with our naturalization laws.

The position of the learned and able counsel for contestant is that John Marshall, father of contestee, having failed to take out his final naturalization papers prior to contestee attaining his majority, the latter, therefore, is still an alien and a subject of Great Britain. Technically speaking, this may be the law, but on reference to the now famous case of Boyd vs. the state of Nebraska, decided by the supreme court of the United States at the October term, 1891, Vol. 12, "National Reporter System," page 388, Chief Justice Fuller uses the following language: "Clearly, minors acquire an inchoate status by the declaration of intention on the part of their parents. If they attain their majority before the parent completes his naturalization, then they have an election to repudiate the status which they find impressed upon them, and determine that they will accept allegiance to some foreign potentate or power rather than hold fast to the citizenship which the act of the parent has initiated for them. Ordinarily this election is determined by application on their own behalf, but it does not follow that an actual equivalent may not be accepted in lieu of a technical compliance."

Chief Justice Fuller, in the same opinion, also says: "The statutory provisions leave much to be desired, and the attention of congress has been called to the condition of the laws in reference to election of nationality and to the desirability of a clear definition of the status of minor children of fathers who have declared their intention to become citizens, but have failed to perfect their naturalization, and of the status gained by those of full age by the declaration of intention."

The opinion further says: "It is true that naturalization, under the acts of congress known as the 'Naturalization Laws,' can only be completed before a court, and the usual proof of naturalization is a copy of the record of the court. But it is equally true that where no record of naturalization can be produced, evidence that a person, having the requisite qualifications to become a citizen, did in fact and for

a long time vote and hold office and exercise rights belonging to citizens, is sufficient to warrant a jury in inferring that he has been duly naturalized as a citizen."

The court further says: "We are of the opinion that James E. Boyd is entitled to claim that, if his father did not complete his naturalization before his son had attained his majority, the son can not be held to have lost his inchoate status he had acquired by the declaration of intention, and to be elected to have become the subject of a foreign power, but, on the contrary, that the oaths he took and his action as a citizen entitled him to insist upon the benefit of his father's act."

In the case at bar the testimony shows that the contestee came with his father to Cass county, Nebraska, when nine years old, and, with the exception of a few weeks, has continuously resided therein. In short, he has grown from boyhood to manhood in the same county and doubtless knows no other domicile or home.

Under the law of the United States supreme court, herein before cited, by the act of his father in declaring his intention to become a citizen of the United States, the contestee herein "acquired an inchoate status," and if he attained his majority before his father completed his naturalization, would "have an election to repudiate the status," which the act of his father impressed upon him, and accept allegiance to some foreign power. But the testimony of his father shows that the son has resided continuously in Cass county, Nebraska, with the exception of a few weeks, ever since coming thither with his father in 1872.

No evidence was introduced to show that contestee had ever "elected to repudiate the status." Suppose that the father of contestee had died before perfecting his naturalization; then, under the law, the widow and all children would, by reason of such death, have become "citizens of the United States." McCrary on Elections, p. 84, subdivision 7 of sec. 54.

Where no record of naturalization can be produced, proof of voting and holding office is sufficient to warrant an inference of naturalization.

Boyd vs. state of Nebraska, supra and cases there cited.

While no testimony was offered in the case at bar, showing that contestee's father had ever voted or held office, yet, after a residence in the county for twenty-two years, since leaving England, and a residence of nineteen years since declaring his intention in 1875, the presumption is certainly warranted that he for years exercised the right of suffrage, and may also have held office. This being presumably the fact, then under the decisions above cited, the father of contestee, even in the absence of any record proof, must have been fully naturalized, and thus contestee would be eligible to the office of councilman.

When it is shown that contestee's father, when the former was of the age of about twelve years, declared his intention to become a citizen of the United States, and no proof that said father had not perfected his naturalization, and that said father had resided continuously in Cass county for about nineteen years, and said contestee had resided in said county since 1872, and that no evidence that said contestee had renounced the inchoate status of citizenship conferred upon him by his father's declaration of intention, it is certainly fair to conclude that naturalization of the father and consequently that of the son, the contestee, was perfected and completed.

Again, the language of the supreme court, in the Boyd case, cited herein, would seem to warrant the conclusion that in that case as well as the one at bar, and in similar cases, a just and reasonably liberal construction should be given to our naturalization laws, rather than a strictly technical application thereof.

On the question of the burden of proof in the case at bar some doubt exists. A general rule of pleading requires plaintiff to prove every material allegation in the petition.

McCrary on Elections, Sec. 294, contains the following: "It seems to be quite well settled that where one who is alien born, has voted at an election, the law presumes that he has been naturalized, until the contrary is shown."

On this theory it would seem that the burden of proof would be upon contestant in the case at bar. The fact that the records of the district court for Cass county do not show that the naturalization of John Marshall was completed, does not preclude a presumption that such may have been done in some other county of the state, and even before contestee attained his majority.

Upon the pleadings and the evidence and the law as herein before cited, this court does not feel warranted in deciding that the contestee herein was not a citizen of the United States at the time of the councilmanic election.

In view of his tender age on coming to the United States a great wrong would be done him to decide, on mere technicality, that, although having spent nearly his entire life in Cass county, he was not a citizen of the United States, when it may be that his father, prior to contestee's attaining his majority, may have completed his naturalization.

The court therefore specially finds from all the evidence in said cause that the contestee herein was, at the time of said election and prior thereto, a citizen of the United States and eligible to hold the office of councilman in the second ward of Weeping Water.

Wherefore it is here now considered and adjudged that the contestee herein go hence without delay. And it is further considered and adjudged that the contestee herein have and is awarded judgment against contestant for costs of suit taxed herein at \$—, for which execution is awarded, to all of which findings and judgment, contestant excepts. By the court, B. S. RAMSEY, Judge.

## AROUND THE COURT ROOMS.

### COUNTY COURT.

County Judge Ramsey has rendered judgment in the plaintiff's favor in the suit of A. C. Loder vs. Railsback Bros. and Spelts in the sum of \$480 with interest since last February.

### JUSTICE ARCHER'S COURT.

The case of Chas. Vandeventer vs. Jones & Fitzgerald, a suit on account for hay sold and delivered, was set for trial before Judge Archer Saturday, but was continued until the 15th.

Judge Archer has decided that Phil Green was guilty of assault and battery on Rev. Parker, of Greenwood, and assessed a fine of \$10 and costs. The costs in the case will amount to nearly \$75. John S. Green, Phil's father, has been bound over to keep the peace.

Sigmund Benson, who has been an inmate of the county poor farm for two years, came to town last Friday and the county furnished him with a new suit of clothes. While in town someone furnished him with enough liquor to get drunk, and he was run in. Next morning he was fined one dollar and costs, and instead of being compelled to lay out his fine in jail, the officers agreed to confine him at the county poor farm.

Dr. Marshall—Fine Gold work.

### Bryan May Come.

A dispatch to the Lincoln Journal from Washington reads: The democratic silver convention on the 21st of this month may yet have the presence of the Hon. William Jennings Bryan. That gentleman has expressed the opinion that the senate will not have the tariff bill back to the house by June 20, as the democratic senators have prophesied. "I shall wait a few days," said Mr. Bryan, "and if it appears then, as it now seems, that the house will not be recharged with the Wilson bill until later in the month, I shall take advantage of the delay and run out to Nebraska."

Dr. Marshall—All kinds of fillings.

Shubert and Robinson Found Guilty. Oswald Shubert and Ed. Robinson, the young men who were charged with burglarizing a freight car in transit between this city and Pacific Junction, were found guilty at Greenwood and sentenced to ten months in the Iowa penitentiary. The boys have been convicted of the same crime in this county and paid the penalty by doing time in jail, and Matthew Gering will appeal their case on the grounds that they can not be punished twice for the same offense.

Try Gering & Co's for cigars—they keep all kinds.

### Small Pox Practically Over.

The scare of the small pox in this locality is now practically over as the ones afflicted with the dreadful malady are now well, thought not at liberty. All care has been taken that any reasonable parties could want or expect. So there was no chance for it to spread in this neighborhood. Citizens in general feel thankful for the prompt action of the health officers of this township in performing their duty so efficiently.—Pacific Junction Recorder.

For summer complaint use Gering's Blackberry Cordial.

Buy your Drugs at Brown's Pharmacy.  
Buy your Patent Medicines at Brown's.  
Buy your Toilet Articles at Brown's.  
Buy your Hair Brushes at Brown's.  
Buy your Clothes Brushes at Brown's.  
Buy your Tooth Brushes at Brown's.  
Buy your Wall Paper at Brown's.  
Buy your Paints and Oils at Brown's.

BROWN'S PHARMACY,  
510 MAIN STREET.

WANTED—Spirited young driving horse in exchange for Plattsmouth real estate. Address "Driver," care JOURNAL.

Dr. Marshall—Crown and bridge work.

Mayor Gorder and Banker John Donelan drove to Plattsmouth Sunday and back the next day. The visits to the county seat by these gentlemen are becoming quite frequent. But as they cannot pay their taxes on Sunday, they must have other business that requires their personal attention.—Weeping Water Republican.

Dr. Marshall—Teeth on metal plates.

When traveling, always take a cake of Johnson's Oriental Soap with you; diseases are often caught from using hotel soap. Sold by Fricke & Co.

Consumption, Bronchitis, Catarrh, and all diseases of the respiratory organs are of like germ origin, and it is only lately that they have been successfully treated. In Hygie, taken by steam inhalation, American scientists have succeeded, where Koch and Pasteur failed, in perfecting a cure that cures. For particulars address California Chemical Works, Omaha, Neb.

When Baby was sick, we gave her Castoria.  
When she was a Child, she cried for Castoria.  
When she became Miss, she clung to Castoria.  
When she had Children, she gave them Castoria.

## What is

# CASTORIA

Castoria is Dr. Samuel Pitcher's prescription for Infants and Children. It contains neither Opium, Morphine nor other Narcotic substance. It is a harmless substitute for Paregoric, Drops, Soothing Syrups, and Castor Oil. It is Pleasant. Its guarantee is thirty years' use by Millions of Mothers. Castoria is the Children's Panacea—the Mother's Friend.

### Castoria.

"Castoria is so well adapted to children that I recommend it as superior to any prescription known to me." H. A. ARCHER, M. D., 111 So. Oxford St., Brooklyn, N. Y.

"The use of 'Castoria' is so universal and its merits so well known that it seems a work of supererogation to endorse it. Few are the intelligent families who do not keep Castoria within easy reach."

CARLOS MARTIN, D. D., New York City.

### Castoria.

Castoria cures Colic, Constipation, Sour Stomach, Diarrhoea, Eructation, Kills Worms, gives sleep, and promotes digestion, Without injurious medication.

"For several years I have recommended your 'Castoria,' and shall always continue to do so as it has invariably produced beneficial results."

EDWIN F. PARKER, M. D., 154th Street and 7th Ave., New York City.

THE CENTAUR COMPANY, 77 MURRAY STREET, NEW YORK CITY

## Special Clearance Sale FOR THE NEXT 30 DAYS.

**\$50,000 WORTH OF MEN'S SUITS**  
At 60 Cents on the Dollar.

|                                   |         |               |
|-----------------------------------|---------|---------------|
| Men's all wool Cheviot Suits..... | \$ 5 00 | worth \$10 00 |
| " Blue Cheviot Suits.....         | 6 75    | " 11 00       |
| " Fancy Cassimere Suits.....      | 8 50    | " 12 00       |
| " Fancy Cheviot Suits.....        | 9 00    | " 13 50       |
| " Fancy Worsted Suits.....        | 15 00   | " 15 00       |

Over 100 Styles to select from in Sacks and Frocks.

Boys' Long Pant Suits, \$5, \$6 and \$7.  
BOYS' SHORT PANT SUITS:

|                                   |        |              |
|-----------------------------------|--------|--------------|
| Fancy Cheviot all wool Suits..... | \$1 95 | worth \$3 00 |
| " Cassimere all wool Suits.....   | 2 00   | " 3 50       |
| " Cheviot all wool Suits.....     | 2 25   | " 3 50       |
| " Cassimere all wool Suits.....   | 2 75   | " 4 00       |

Boys' Short Pants, 25c, 38c and 50c.  
Boys' Straw Hats, 15c, 30c and 25c.

WE MAKE ALL OUR OWN GOODS. NO SHODDY OR TRASH AT ANY PRICE. This is a bona fide Cash Clearance Sale, at which you can buy honest Clothing at 60 cents on the dollar.

## Continental CLOTHING HOUSE,

N. E. Cor. 15th and Douglas Sts.

**OMAHA, - NEB.**

The Continental is the building with tower and clock. Beware of runners for cheap clothing houses who accost you on the street. Come straight to the Continental, we hire no runners. Cut this ad out and bring it with you.

### List of Letters

Remaining uncalled for in the post-office at Plattsmouth June 12, for week ending June 5, 1894:

Amick, Geo. Beam, Caroline  
Braden, H. A. Kurtz, Frank  
McKendrie, Mrs. L. Price, W. P.  
Persons calling for any of the above letters or parcels will please say "advertised." W. K. Fox, P. M.

H. Heineman, Milwaukee, writes: "One box Japanese Pile Cure has cured me of case of twenty-eight years standing, after being treated by New York's best physicians." Sold by Fricke & Co.

The Bonacum-Corbett case was heard at Nebraska City yesterday at 9 o'clock. Nearly all the witnesses are present, and a stubborn legal fight is in prospect.

Cases of forty years standing where operations have failed, have been cured by Japanese Pile Cure. Guaranteed by Fricke & Co.

Geo. Peters and sister, Miss Emma, of Avoca precinct, were Plattsmouth visitors yesterday.

Watches  
Diamonds  
Jewelry  
Silverware, &c  
Fine Watch Repairing

JOS. P. FRENZ  
Opposite Post Office  
OMAHA

When Baby was sick, we gave her Castoria.  
When she was a Child, she cried for Castoria.  
When she became Miss, she clung to Castoria.  
When she had Children, she gave them Castoria.

## Millinery and Hair Goods



All the Latest Novelties. We Receive New Goods Daily. The Only Children's Millinery Department in Omaha.

HAIR GOODS Our Hair Goods Department always has the latest and most approved styles.

**Mrs. R. H. DAVIES**

1520 Douglas St., OMAHA.

H. J. Streight. J. Sattler

STREIGHT & SATTLER,

Successors to Henry Beck.

Furniture and Undertaking

Pianos and Organs,

STOVES and RANGES.

Our Furniture line is complete in every detail. An investigation is certain to convince.

BE MANLY. Paris strengthener or excessive use of stimulants. Effect at once. Night Emissions, Weak Brains, Nervous Power cured or unimpaired by using Dr. Hahn's Pharmacy, Omaha.

LADIES. Turkish Tassels and Penicillin syringes. Piles never fail. Cure to the day. Druggists everywhere without pain. \$1 box by mail. Agents wanted. HAHN'S PHARMACY, 2012 Farnam St., Omaha, Neb.