READ THIS.

Goods not sold at less than cost. No lowest prices for cash, at CLARK & PLUMMERS. 1ltf. Plattsmouth, Neb.

LIME! LIME!

H. Robinson starts Lislime kiln for the season, to-day. All persons desiring lime can now be furnished. For information, call next door east of the Brooks House. 70d&w2t

BIG POTATOES.

Hesser sends us a 62 lbs." sweet pota- ruhen, oder Erdichtungen, ausgestrento, "for breakfast." We have been von politischen Feinden, sind Ich comparing corporosity's, and think Hes- wiederhole hiermit nochmals, dasz ich breakfast, better than the editor of the | ihrer Grundung an, bei jeder Gelegen- | this meeting, viz : HEBALD

Osceola Nurseries...Get as Near Home as possible

NURSERY &TOCK ! NURSERY STOCK !

W. H. Brown, the Agent for these well known Nurseries, is in town, roliciting orders for Fruit and Ornamental Trees, Flowers, Bulds, and Green House Plants. Satisfaction garantee dor on pay ung irgend eine Klassen and vornehm- person : W. H. B. demanded. 38d lw tfw

sicians.

Sofficiting that Interests Every One,

O'Brien & Merges, at the Platts-Post office, are filling up, for the Fall of boots and shoes ever brought to Plattsmouth. 25wtf

AT STADELMAN'S-New Jewelry- schon mehrmals und besonders the best assortment ever brought to this in deu Jahren 1855 und 1858 von den market. Rings chains, studs and sets ; Opponenten der Republikanischen President was authoriz d to appoint the also a few watches, which will be sold at Partei gegen mich im Auwendung Executive Committee for the ensuing

Um endlich einmal den gegan den re-OF AGRICULTURE. publikanishen Vizepresident-schafts-Candidaten Wilson ausgestreuter Ver-The annual meeting of the Nebraska | same. laumdungen, dasz er dem beruchtigent State Board of Agriculture, held at Lingoods given away, but good goods at the Orden der Knownothings angehort haber co'n, Nebraska, on this the last day of ein ende zu machen, wandten sich vor the Annual State Fair, Sept. 6th, 1872. the sum of one hundred dollars to pay

WILSON'S RECHTFERTIGUNG.

einigen yagen einig Brooklyner Deutsche There were present the following officers, | for the servi es of Dr. H. Latham in at schriftlich an diesen mit der Bitte, and ex-officio members : R. W. FURNAS, President, sieuber diesen Punkt aufzuklaren. Sie

J. S. MORTON, 1st Vice-President. erhielter hierauf folgendes, vom 26. ds. J. T. ALLAN, 2d Vice-President. aus Natick, Mass. datirte, eigenhandige Schreiben des Senators : Meine Herren, D. H. WHEELER, Secretary. -Ich habe Ihr schreiben empfangen, J. W. SHANNON, Member. GEO. B. GRAFF, in dem Sie bei mir anfragen, of die Berichte, dasz ich ein Mitglied der Know-C. H. WINSLOW,

D. T. MOORE, nothing Partei war, auf Wahrheit be-F. M. DINNINNY, "

State Board of Agriculture were due, and W. W. ABBY, Ex Officio, Member. were hereby extended to the "PRESS OF NEBRASKA," for the very valuable aid House, There being a quorum present, the ser made a mistake. Mr. Mickelwait or niemals mit ihr gestimmt habe und Secretary announced the following list of Judge O'Neill could hold that potato for | dasz ich strets bestrebt gewesen bin, von | members whose term of office expired at

heit durch Wort und Schrift gegen ihre D. H. Wheeler, J. W. Shannon, schadlichen Prinzipien anzukampfen. John Mutz, Oliver Harmon, Aus den beifolgenden Auszugen meiner R. D. Simpson, M. Vandeventer, Reden, die in verschiedenen deutschen J. A. Ewing. J. L. Carson, Zeitungen veroffentlicht everden Sin F. A Tisdel, jr. J. T. Allan, ersehen, dasz ich mich stetz frei und Geo. B. Graff, F. M. Dinninny, offen fur das Prinzip erklert habe, dasz C. Eckhart, and H. P. Coolidge. die Adoptivberger der Union gleiche. On motion, the Board proceeded to Rechte mit den Landes Eingeborenet elect members to fill the Board, which haben sollen and dasz jede Unterdreck- resulted in the election of the following

lich von ihrer Frendgeburt herruhrt, im D. H. Wheeler, Plattsmouth, Cass bition at our Fair. grellen Gegensatze zu den Prinzipien County; M. Dunham, Omaha, Douglas On motion, the thanks of the Board The strains of flute and guitar mingled | wahrer Religion, Gottesfurcht und dem County; J. W. Moore, Nebraska City, were given to its officers, the Superin- Second Judicial District, in and for Cass very pleisantly with our dreams last Zeitgeiste steht und dasz solche Beein- Otoe County; H. Q. Staver, Salem, tendents of the several classes, and the night, and at last aroused us to a realiz- trachtigung der Fremdgeborenen hechst Richardson County; J. H. Gregg, Ne- Committees, for the fair and impar- Ten Eick defendant, and directed to me ing sense that somebody or bodies were ungerent, unmenscalich und unpolitisch braska City, Otoe County; N. W. tial manner in which they have dis- as sheriff of said county. treating us to a delightful seranade, for ist. Diese meine Erklarungen stimmen Wells, Schuyler, Colfax County; F. A. charged their several duties. which we return many thanks. We do den liberalen Ansichten, deren ich Tisdel, jr. Brownville, Nemaha Co.; F. not pretend to be a judge of music, but wehren, d meiner langjehrigen politischen M. Dinninny, Tecumseh, Johnson Co.; were extended to the citizens of Lincoin we know that was excellent, and Platts- Laufbahn gehuldigt habe, volkommen M. Stocking, Eldred, Saunders County; and of Lancaster County, for the very mouth need not be ashamed ef her mu- uberein. Aufdieser Grundlage ruht der John Keith,

Gage County ; Bau unsrer mechtigen republikanischen Hinman Rhodes, Partei, der Partei des Fortschritts- H. P. Coolidge, Columbus, Platte Co.; State Fair. deren unverenderliche Stetzen; Frei- J. W. Holt, Salem, Richardson County. heit, Gleichheit und Brederlichkeit sind. Thereupon, the Board proceeded to meet in January, 1873, at the call of mouth Shoe Store, next door to the Dieses sind and werden meine Losungs- the election of officers for the ensuing the President. worte sein, so lange 1ch lebe and zu year, which resulted as follows : trade, with the best and cheapest stock wirken im Standebin. Deshalb musz ich R. W. FURNAS, President. auch ganz energisch solche Verlaumdun-J. S. MORTON, 1st Vice-President. gen zureckweisen und sie fur J. T. ALLAN, 21 Vice-President. J. W. MOORE, Treasurer. cin verechliches ohne erfolg,

D. H. WHEELER, Secretary. On motion of J. S. Morton, the FOR COUNCILMAN - ELECTION NOTICE.

OFFICIAL REPORT OF THE STATE BOARD and that he be authorized to draw upon Frederick Otz, Veterinary Surgeen the Treasurer of the Board for money

Resolved, That the thanks of the

nual Address.

pers of Nebraska.

On motion, it was

sufficient to pay for the printing of the On motion, the Secretary was instructed to draw an order on the Treasurer for

tending our Fair and delivering the An- buy Goods low down. I have a well se

On motion, the Secretary was instructed to call for a report from all persons who planted Trees on "ARBOR DAY," and announced the same through the pa-

VETERINARY

Brick Store, two doors East of Court

mouth, Nebra-ka, together with the

Attorneys for Plaintiff.

Election Notice.

Notice is bereby given, that on Tuesday, the 8th day of October next, at the On motion, the Board adjourned to usual places of holding elections, an Election will be held for the purpose of electing

One Member of Congress, I Governor, 1 Chief Justice. 2 Associate Justices, 1 Secretary of State, 1 Auditor, 1 State Treasurer, 1 Attorney General, 1 States Prison Inspector, A District Attorney for the Second Judicial District One State Senator for the Fourth Senatorial District, composed of the County of Cass. Two Members of the House of Representatives for the Fourth Representative District, composed of

he County of Cass

Frederick Otz, Veterinary Surgeen. Can be found at John Shannon's stable. Knows his business and attends to it.— Give him a call.
70d&wtf
New Store-New Goods-New Prices
At F. S. White's Grocery Store, two doors east of Court House. Call and buy Goods low down. I have a well se leeted Stock of Staple and Fancy Gro-cernes which I offer as low as the lowest. Wanted—1000 pounds of butter. do 1000 dozen eggs.
Corn, oats, potatoes, chickens, or any kind of produce, wanted.
All go.ds delivered free of charge, in any part of the city.
F. S. WHITE, Brick Store, two doors East of Court

Sheriff Sale.

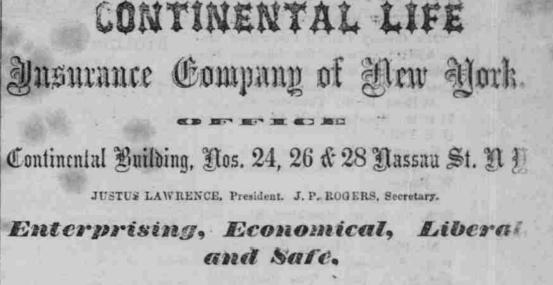
Legal Notice.

NEBRASKA," for the very valuable and they have given the Agricultural inte-rests of Nebraska, by publishing the no-tices of our meetings, and of the Special premiums offered for Tree planting, &c. On motion, the thanks of the Board were extended to the several railroad companies of Nebraska, and to the B. & M. R. R. in Iowa, and the K. C. St. Joe. & C. B. R. R. of Iowa and Missouri, for the very liberal aid they have rendered the Board and the Agri-cultural interests of Nebraska, by giving

By MAXWELL & CHAPMAN. Referees. n24 3t Attorneys for Plaintiff.

AN ADVERTISEMENT

WANTED



Number Policies issued to Jan. 1, 1872. Number Policies issued and revived in 1871. ASSETTS, Jan. 1, 1872. 45,000 12,537 .87,505,235,50

This Company is Purely Mutual in its operations, dividing its entire surplus among its Po-cy holders, annually, on the "Contribution Plan." and has a larger business and a lower ratio expense to income, than have ever been attained by any other Company at a Correspondiperio i in its history.

Its total assets are sufficient to discharge a'l liabilities, including re-insurance, pay back a its stock capital, and leave as a balance more than a MILLION of earned surplus.

This Company Issued More Policies --- IN 1871 THAN---Any Other Company in the Worl S. A. TAYLOR & CO.,

General Agents, for Nebraska, jan103&wtf

FALL AND WINTER GOODS.

-- 202----

THE PRICES! DOWN GO

D. SCHNASSE & CO.'S

Celebrated

NEW YORK STORE.

South West Corner of Main Street PLATTSMOUTH, NEBRASKA,

AND SO THE PEOPLE THINK WHO BUY DRY GOODS.

On motion, the thanks of the Board

Attest : D. H. WHLELER, Sec'y.

If you want a good, stylish Lat, go to 74d1w26w3t Stadelmann's.

liberal manner in which they have prepared the Grounds and Buildings for the

Doctor Geo. H. Black was unani-

Son.

lan's, finest assort-

and misses hosiery

chiefs, laces, &c.

rn styles of shawls,

8513w26t2

reduced rates to passengers, and also on | stock and merchandise intended for exhi-

R. W. FURNAS, Pres't.

building situated thereon, to be sold as the property of M. Ten Eick, on an order of sale dated Sertember 19th, 1872,

issued out of the District Court of the county, in an action in said Court wheren James Fenelon is plaintiff and M.

JOSEPH W. JOHNSON, Sheriff of Cass Co.

Maxwell & Chapman.

wholesale prices. 74d1w26w3t

WANTED!

their custom work is made from the best | Hoffnung u. s. w. brands of French calf and kip. They only charge 75 cents for soling boots, and make anything to order, from a stoga of Cass county are situated three miles boot to the finest French kid, ladies' southwest of Plattsmouth, near the resshoes. Their foreman is master of his idence of W. R. Porter, Esq. A stream business, and his "fitting" can not be ex of water passes through the northern

HENRY WILSON. THE FAIR GROUNDS

celled in the best shops in the count y side of the grounds where stalls and in January next. On motion C. H. Winslow, it was 25wtf sheds for stock have been erected. On

The first heat was trotted in 3 min. 4 fully submit the following report :

see, the dark roan (Metteer's) winning WHEREAS, The finances of the Board

Streight's mare was yery lame, and necessity of having a competent and ef-

many thought she would be unable to ficient Secretary, and believing that the

make the second heat, at the call of laborer is worthy of his pay, would rec-

"time's up" however, she came to the ommand that the Board pay the Secre-

scratch in good style, and without any tary the sum of six hundred dollars, for

was made in 2,55, both horses working have named is not enough to fully com-

to a charm, and the lame mare some- pensate him, and believe that the Board

how forget, and won the heat. A little will, in future, pay him enough to enable

walking, a little bathing, some blankets, us to retain his services in the position

but the home stretch before her, and the services rendered, and a full and com-

horses crossed the line with the light plete itemized account of receipts and

roan (Streight's) about half her body's expenditures of the society, and lay the

was

When we consider that this track was ary meeting.

rounds must be trotted for a mile heat,

Resolved, That the President be revisiting the place we found a large as-The largest stock of clothing to be semblage of people from all-parts of the quested to call the semi-annual meeting ness, we have omitted acknowledging found in town, at STADELMAN'S. The county. We shall not at this time at- of the State Board of Agriculture in the receipt of some very fine grapes best assortment of clothing at Stadel- tempt to give a description of the ar- January next, at Omaha city. man's. The cheapest place to buy ticles on exhibition, nor the premiums awarded, as they will be given in a body Committee of three, consisting of F. A exhibited by him alone, at the Fair. - Judicial District in and for Cass County. clothing is at Stadelmann's.

74d1w26w3t. hereafter. Vivian's is the place to buy your gro-

the heat.

HORSE RACING.

scoring, they got a good "send off."

THE SECOND HEAT

LAST HEAT.

ceries and provisions. 20tf A Word to our Customers,

Profiting by the experience gained by more than two years dealing with the Having been kindly invited to the stand tion was unanimously adopted. people of Plattsmouth and vicinity, we we propose to tell what we know about The Committee. after consultation, West displayed as her share a long row certain promissory notes, calling for the that have selected for our fall and winter trade a class of boots and shoes, that for The first thing on the programme was | To the State Board of Agriculture : cheapness and durability, we say, with- a race between F. J. Metteer's roan Your Committee, appointed to fix and out hesitation, are not equalled west of mare and Dick Streight's light roan report a compensation to be paid the the Missouri. We find the people want mare "Cass County Pet." best two out Secretary of this Board, for the year good goods, and we are prepared to fur- of three.

nish them at reasonable prices. Respectfully, O'BRIEN & MERGES. 25wtf

POLITICAL.

Messrs. Smith and Chapman will speak at Omaha Junction, on Monday evening, October 7th. Turn out and hear them. d&#

STOVES! STOVES!

Morning Glory, Base-burner, for hard coal-five sizes, at E. T. DUKE & Co.'s. 66dtf25wtf

At Solomon & Nathan's the goods are a fresh chew of tobacco for the drivers he has so faithfully and competently rolling in hand over fist. 85d3w26t2

189. N. B. "184 We have bought the entire right and the wind-"go my beauties." This was the sum six hundred dollars. interest in the whole subscription list of as fine a heat as we ever saw trotted on On motion, the report was unanithe WEEKLY HERALD, from H. D. any course in America. The horses mously adopted. Hathaway, and as fast as our friends can kept neck and neck for the first third of Judge O. P. Mason offered the folsquare up the old accounts we shall be a mile; on the second third the dark lowing resolution: pleased to have them as we want old roan seemed to gain and the "Pet" fell Resolved, That an Auditing Commitbooks settled. behind, greatly to the sorrow of her tee of three, be appointed to audit all tf

friends who supposed her lame foot claims, for services rendered, money ex-E. T. Duke & Co., have on hand some new patent husking gloves. Saves the would cause her to lose the race; but pended, for the use and benefit of the on the last round she forgot everything society, by any of its officers, and all hands and diminishes the labor. Farmers call and see them and you will par 83d 1w-27wlt

See advertisement of Dr. Butts' Dis- length ahead-time, 3 minutes. pensary, headed Book for the Million-Marriage Guide-in another column. It only a third of a mile, and that three should be read by all. decldawly.

all horsemen will recognize at once that C. H. Winslow, J. M. Woods and J. H. Unless A. L. Brown had a good maxy that this was very good time indeed. partners and was forced to divide pretty THE MILE DASH freely, he ought to be a rich man now. between John Shaunon's gray pacer

gebracht wurde. Sie, geehrte Herren, year. sind wohl im Stande, Wahrheit von

The President named the following Every one to know that O'Brien & Falschheit zu unterscheiden; Sei wer- persons as the sail committee, viz : Merges, at the Plattsmouth Shoe Store, den mir daher wohl auch in der Zukunft C. H. Winslow, of Cass County; M. keep on'y first class shoemakers, and all Ihr Vertrauen schenken. In dieser Dunham, of Douglas County; F. A. 4th. Said Tisdel, jr. of Nemaha County; J. W. street by

Moore, of Otee County ; J. W. Holt, of house of Richardson County.

submitted the following report :

ending Dec. 31st, 1872, would respect-

are somewhat limited, yet knowing the

the year ending 1872. Your Committee

would further say that the amount we

same before the Board at its next Janu-

On motion, the resolution was adopted

Gregg, as an Auditing Committee.

The President thereupon appointed

On motion of J. Sterling Morton, it

At So On motion of J. S. Morton, it was ment of Resolved, That the time and place of and glove holding the next State Fair be fixed at | The la the semi-annual meeting of this Board and a mag

at stock of Alpaceas and Empress cl Owing to an unusual stress of busi

lies.

from Mr. W. S. West-six different va-Judge O. P. Mason, moved, that a rieties-one of which he informs us was Tisdel, Jr., J. S. Morton and R. W. He also had there some unadulterated Nebraska; the object and prayer of said The grounds were crowded with peo Furnas, be appointed by the Board, who sweet corn, seven varieties of beans, petition is to forcelose a certain mort-The grounds were crowded with peo Furnas, be appointed by the Board, who sweet corn, seven varieties of beaus, gage on the E 1 of Lot 6, in Block 35 in ple, and Mr. Wheeler informs us that shall fix and report to the Board, a com some very large, wild, yellow plums, Plattsmouth city, Nebraska, in which the entries were very numerous. The pensation, to be paid the Secretary of which he had cultivated in his garden, you claim some interest, executed by F. principal feature, to many, on Wednes- the Board, for his services for the year the Catawissa Raspherry and the Ohio S. White, Diana White, Augustus day afternoon, was the trotting match. ending December 31st 1872, which mo- ever bearing raspberry on the cane as Spiers and Lovina Spiers, to Tootle, Far-

> Wanted. Within the next 30 days--40.000 pounds of Rags. 50.000 pounds Cast Iron. 20.000 pounds Scrap Iron. 10,000 pounds Old Papers.

And any amount of old Copper and Brass. Cash paid for any of the above ar-

ticles. F.S. WHITE, Two doors East of Court House. S0d1t-26wtf

heating stoves, selling fast, at E. T. on the west side of Seventh street in Duke & Co's.

and everybody is ready for the third and filled, and we further recommend that kept by Braitsch's French Regulator, at sidewalks along and against the east an order be drawn on the Treasurer, in the Elephant Clothing store. Call and Two scores and the horses are away on favor of D. H. Wheeler, Secretary, for get true time. 85d1w26w1 E. T. Duke & Co. have just received a SEC. 2. That the owners of all lots large lot of Heating Stores of all kinds, and parts of lots bordering and abutting suitable for parlor, offices, stores, hotels, said city of Plattsmouth, between Chior any place. Call and see them. 66dtf25wtf

REPUBLICANS, TO THE POLLS!

Republicans, on Tuesday next the Marble street. State Elections take place. You owe it out to a man and show your colors. A "campaign of calumny" been inaugurated against the field, which shows conclusively how weak the party is that must resort to

mously nominated for Councilman, in One Member of the House of Reprethe First ward, of this city, in the sentatives for the Twenty-fifth Repreplace of E. T Duke, resigned, and the sentative District, composed of the election takes place on Friday, October Counties of Cass. Sarpy, Douglass, Washington, and Dodge. a is held on Main One County Commissioner for Cass

ad 6th, at the store County, from the Third District. One Precinct Assessor for each Fre-Which Election will be opened at 8

o'clock in the morning and continue open un'il 6 o' clock in the Afternoon of the same day. By order of the County Commissioners, D. W. McKINNON Clerk.

This 3d day of September, 1872.

Legal Notice.

Samuel Berliner is hereby notified that on the 3d day of August, 1872, Tootle, Farleigh & Co., filed their petition in the District Court of the Second they were cut from his garden. Mrs. leigh & Co., on or about the 20th day of they were cut from his garden. leigh & Co., on or about the 20th day of of bowls containing preserves and jel- sum of six hundred and sixty-three dollars and seventy-five cents, (\$663 75). and praying that an account may be had of the amount due said Tootle, Farleigh

& Co., and that said property may be sold, to satisfy the same. You are required to answer said petition on or before the 28th day of October, 1872 TOOTLE, FARLEIGH, & CO. By MAXWELL & CHAPMAN. 24w5 Attorn Attorneys.

Ordinance No. 33.

An Ordinance providing for the construction of certain sidewalks. Be it ordained by the Mayor and Councilmen of the City of Plattsmouth SEC. 1. That the owners of all lots Patent round zine boards to go under and parts of lots bordering and aborting 83d1w-27w1t said city of Plattsmouth between the North side of Washington Avenue and the South side of Elm street be and are The only true time in Plattsmouth is hereby required to build and construct line of their respective lots or part of lots on the west side of said Seventh street on the North side of Marble street, in cago Avenue and Eleventh street be and are hereby required to build and construct sidewalks along and against the south line of their respective lots and parts of lots on the north side of said

SEC 3. The sidewalks required by to yourselves and to the country to turn this ordinance to be constructed shall be four feet wide and shall be constructed of good pine or cottonwood lumber of not less than one and one-half inches in has any thickness laid crosswise and firmly nailand every Republican candidate put in ed and fastened upon two continuous sleepers or stringers not les than two by personal vituperation and slanderous af- directed by the street Commissioner. fidavits to support its cause. Turn out SEC. 4 It is hereby ordered that the and give the lie, by your votes, to these several owners of lots and parts of lots charges that we have no good men in along which sid walks are hereby requir-our ranks and dars not cleat our ranks and dars not cleat our ranks.

DRESS-GOODS. PRINTS. DELAINES, GINGHAMS,

BROWN SHEETING, BLEACHED COTTONS, BALMORALS, CARPETS. CLARK'S NEW THREAD,

COTTON YARNS, BOOTS AND SHOFS

In the Grocerv line we keep the FINEST and BEST

TEA, COFFEE, SUGAR, MOLASSES, DRIED FRUITS, of every Description,

All the Varieties of Spices, in fact for all Your

GROCERIES. HARDWARE, QUEENSWARE,

WOODEN-WARE, GLASSWARE, YANKEE NOTIONS, HATS AND CAPS.

m25-tf

GO TO

D. SCHNASSE & CO.'S

Mills ! University of Nebraska Pattsmouth LINCOLN, NEB. 010 PLATTSMOUTH, NEBRASKA. 23- The next term of the University will op ... SEPTEMBER 12TH, 1872. CORAD HEISEL - - - - Proprietor, Δ full Corps of Professors is provided. To Apparatus, Library and Cabinet are new and complete. The E Flour, Corn Meal. Feed, &c., Always on hand and for sale at lowest Cash Prices, Agricultural Colleg 13. The Highest prices paid for Wheat and Will-open this fall. Taition free, and books at For further information send for a cata-Particular attention given to cuslogue. tom work. Rooms for self boarding farnished at small m21 tost to the students. A. R. BENTON, Chancellor. Lincoln Neo. n43 dlw-90 w 2m WM. H. BROWN, Money Saved Dealer in -2raits and Ocavantal Narsery Stock. Buying Your Green-house and FLOWERS, BULBS and GREEN HOUSE PLANTS, Bedding Plants.

IOWA. OSCEOLA. -1.00 1.0 -ş--

n20-w3n

owest retail prices.

TO FILL

nor Trees warranted true to name.

Any stock ordered that cannot be furnished the money will be promptly refunded. Orders Solicited.

DON'T send East for Plants when you c bome. To my numerous friends and patron would say that I have the largest and be stock of plants ever offered for sale in free we and propose to sell them at reasonable price Be sure and send for my REED BROS.

Weeping Water, Nebraska. DEALERS IN

Dry Goods, Groc-ries, Hardware, Queensware, Boots and Shees, Hats, and Caps,

which will be sent fresto all who apply for it Then give the your orders, and I feel confiden I can satisfy you. . W. J. HESSER Address. Feb. 13 d.tw Plattsmouth, Neb

New Descriptive Catalogue.

AT THE

Ficnic Garden.

Agricultural Implements of all kinds, Weir and "T X L" Cultivators, Union Corn Planters, Grandetour and Princeton Plows, &c., &c., adia-finitum all of which wooder to the public at the LYON'S KATHAIRON.

four inches in size and well placed and fastened, and at such grade as shall be

