is sufficiently large to more than supply our ited space in that direction.

BEAL MANE OF WRITER, in full, must in each nd every case accompany any communica tion of what nature soever. This is not intended for publication, but for our own satisfaction and as proof of good faith. OUR COURTRY FRIENDS We will always be pleased to hear from, on all matters connected with crops, country politics, and on any sub-ject whatever of general interest to the peo-

ple of our State. Any information connectwith the election, and relating to floods, ecidents. etc., will be gladly received. All brief as possible; and they must, in all cases, written up 'n one side of the sheet only. ALL ANNO NUMBERS of candidates for office

whether made by self or friends, and whether as not 'conor con aunications to 'be

L BOSEWATER, Editor and Publisher, Draw-NOTICE. On and after October twenty-first, 1872, the stion of the PAILT BEE is assumed

by Mr. Edwin Davis, to whose order all subone not paid at the office will be payable and by whom all receipts for subscriptions will

E. KOSEWATER, Publisher

ACCORDING to a special dispatch to the Chicago Tribune Hon. John A. Kasson has changed his mind about his future political intentions. In the face of his two recent letters declining re-nomination by the Republican party he has now announced his intention to let his name go before the Republican Congressional Convention for renomination.

ADVICES from the Platte Valley indicate that the recent drouth has had a damaging effect upon the corn crop. The wheat crop has also suffered considerably, and although the quantity sown this year will make the crop of 1874 at least fifty per cent greater than that of 1873, the yield per acre will fall considerably below the average. The quality of the new wheat will, however, be superior to any raised within the past five years,

THE political situation in France has destroyed the usefulness of that dition of the city. Unless this recommendation is ment to over two thousand. speedily complied with, we shall not be surprised if McMahon should backed by military force.

IT is to be hoped the City Council Caldwell and other property owners | ployment to workingmen. on Farnham street in favor of uniform sidewalks. This is a muchneeded improvement, and no time should be lost in carrying it into effect. The present condition of the sidewalks on our principal thoroughfares is simply disgraceful, and ought not to be tolerated, especially in view of the fact that the desired uniformity will involve but a trifling outlay.

THE geographical educatoin of the Washington Agent of the associated press, seems to have been sadly neglected. A bloody skirmish has taken place between the U. S. troops and the Indians in the Wind River Valley, and the enterprising but stupid associated press reporter telegraphs all over the country that Nebraska is being invaded and overrun by bloodthirsty savages. Now the Wind River Valley where these Indians are operating, is in Wyoming, at least three hundred miles beyond the western boundary of Nebraska.

Such blunders might be tolerated if they referred to locations in Central Africa, but in this instance they are inexcussable.

SINCE the repeal of the franking privilege and salary grab a general disposition to retire to private life is manifesting itself among Congressmen who have heretofore taken prominent part in national legislation. Some of the ablest and best men of both political parties have voluntarily and peremptorily declined-a greater number of this class than at other Congresses. George F. Hoar, Henry B. Dawes, Alexander Mitchell, of Wisconsin: William R Roberts, (democrat) New York; James B Wm A Wheeler, (democrat) of Nev York; Hugh J Jewett, of Ohio, and Philetus Sawyer, of Wisconsin. chairman of the Committee on the scept a re-nomination.

roved a success in Kansas. Until tion, and will make a strong fight. few years ago it was the prevail-The Central Register gives a short and concise history of the new Sunshine mining district, from which we quote: "The district is located about one and a half miles east of the old town of Gold Hill, and is within the eastern limits of Gold Hill, and is within the eastern limits of Gold Hill mining district. Via the old town of Gold Hill mining district. Via the old like younger to gold Hill mining district. Via the old town of Gold Hill, and is within the eastern limits of Gold Hill mining district. Via the old town of Gold Hill, and is within the eastern limits of Gold Hill mining district. Via the county authorities of Merrick county from issuing certain bonds woted to the Midland Pacific Rail-way Company.

The Central Register gives a short and concise history of the new Sun-shine mining district is located about one and a half miles east of the county authorities of Merrick county from issuing certain bonds way Company.

The statute of Nebraska is hereby and the gold here way Compa ably reach 1,500 bales. This is a 2,000 feet above the plains, and like most of the foot hills region, the small amount, to be sure, but it shows that cotton raising in Kansas is a success, and its cultivation is likely to prove, in the future, a very important feature in the agricultural industry of that State. The experiments thus far made show that Southern Kansas can produce as good cotton as South Carolina, while the profit to the farmer is fully ten the foot hills region, the surface of the country is comparatively smooth, grassy, and thinly timbered, resembling a farming or first-class grazing country, much more than a mountain mining camp. The water supply, though not abundant, will, we think, prove amply sufficient for mining machinery, and reduction works can be advantageously located on Four-mile, Boulder, or Left-hand creeks, which are near at hand, and afford almost unlimited power at all seathe profit to the farmer is fairly tent which are near at hand, and afford almost unlimited power at all seasons. Timber for mines and fuel is commissioners of Merrick county, Pill Dismissed.

THE muddle concerning the polic ree caused by the singular action of the Mayor is getting no better fast. At its last meeting the Council confirmed the appointment of Wm. Ryan in place of Walker re-signed. Yesterday Mayor Chase sent a note to officer Byrne in which he claimed that Ryan must take the place Byrne, a member of the force and one of the best officers the city

has ever had .- Herald. Why not tell "the truth, the whole truth, and nothing but the truth?". William Ryan was appointed by the Mayor to take the place of Mr. Byrne, whose term of office had expired. The Council on motion of Councilman Lucas changed the nomination to take the place of Mr. Walker, in whose place the Mayor had nominated Mr. August Williams. The posttion of Mayor Chase from a legal

standpoint is simply this: By the city charter the Mayor is the only power to make appointments, and the City Council has no right to alter or amend the conditions of his appointments. They must either confirm or reject. In this respect the position of the Council is similar to that occupied by the United States Senate. The President has the appointing power, and by virtue of that authority he has the prerogative of naming the

positions which any nominee shall If there were three vacancies in the army or navy, the President can name three officers, and assign each of them to a specific position, and the Senate can not alter or amend

The Council confirmed Mr. Ryan, and the Mayor holds that this confirmation carries with it his asignation, in accordance with the terms of the nomination.

When the BEE a few days since declared that trade in Omaha was never so dull as it is now, it simply expressed what is generally conceded by everybody who knows anything about the situation- The organ of the old fogies and anti-progressionists takes the BEE to task for this statement, by declaring that the wholesale jobbing trade in Omaha never was better than it is

The BEE will not dispute this assertion, but we would remind the has reached a very critical point. Herald, that the prosperity of half It is self-evident that the factional a dozen jobbing houses, is by no feeling in the National Assembly means a criterion of the general con-

body as a law-making power. Mc- All the jobbing houses in Omaha Mahon's message very properly re- do not employ two hundred men, the orders it can fill. France required their dissolution. bulk of our commerce, give employ-

While the jobbers invest more capital, the retail dealers are really assume dictatorial powers, and dis- the backbone of the city. This perse the Assembly with a prorogue class depend chiefly on the prosperity of the industrial classes, and this is the reason why the BEE urges public improvements and will carry out the petition of Mr. public enterprises that will give em-

> ALEXANDER H. STEPHENS has resigned his seat in the present Congress: and he also declines a enomination. But that will not prevent him from writing a few more six-column letters to that stiffnecked rebel, General Hill.

OCCIDENTAL JOTTINGS.

The Rio Grande flood is subsid-

Railroad meetings constitute the passtime of the Pueblo people. Building is going on rapidly in

The Georgetown Water Company have begun work. It is the intention to have the reservoir comple-

ted next week. Many Colorado and western Kansas cattle men are selling out, and intend to invest in sheep, believing that there is more profit in the lat-

During June over sixty Colorado visitors made the ascent of Pike's Peak: some on foot, some on horse back, and all glad to get to their journey's end.

Golden will vote July 15th on the proposition to issue \$40,000 for water works and \$15,000 to aid it the construction of the Golden and Ralston

A small locometive on the Colorado Central has distinguished itself by hauling six loaded coaches up

grade through Clear Creek canon. There seems to be no doubt that tellurium has been at last discovered in Larimer county, the location teing on the north fork of the Poudre, near Livermore. The assays are most promising, and no one feed be told that a tellurium "find"

means business. A party of prospectors, headed by S. H. Crowell, who left Del Norte in April, on what it was thought would prove a "wild goose chase," Beck, of Kentucky; George W Mc- have struck a new California on the Crary, of Iowa, chairman of the La Plata river, where golden nugcommittee on Roads and Canals; gets are as plenty as pebbles. Sevstampede is inevitable.

Just now there is a perfect hegira of miners, prospectors, gamblers and adventurers to the new placer Pacific Railroad, are among the diggings on the little Colorado river. counts of the richness of the placers. Trouble with the Indians is apprehended, but the "stampeders" are loaded down with arms and amuni-

The Central Register gives a short

abundant and close at hand. The location for winter working is peculiarly favorable, as the snow very rarely covers the ground twenty-four hours at a time,"

Reports from Utah county, Utah, concerning the silk industry there,

are very promising. An Enoch Bishop is going from Salt Lake City to Tooele to start a shoeshop and woolen mill on the

There is some excitement at St. George, Utah, on account of the threat of the Navajo Indians to raid

A gentleman of long experience in mining camps, who has been spending several days in Bingham, Utah, expresses it as his belief that the mines of that justly celebrated district will turn out from \$4,000,000 to \$5,000,000 worth of ore this sea-

NEVADA.

There are now three faro games

Carson City has more trouble This time it comes in the shape

The Democratic State Central

Committee will meet in Virginia on the 15th of July. The acid factory of Virginia is

doing a heavy business both in blue The ranches at the upper end Carson valley expect to get two

crops of hay this season.

Ninety-six car loads of base bullion were shipped from Palisade, amounting to 1,100,061 pounds, to San Francisco and points west during the month of June.

A private letter states that ex-Senator Nye will soon return to Nevada, to remain for several months. He will probably do some talking during the approaching can vass.

There is still a good deal of ore being taken out of the surface of the mines at Gold Hill-almost at the top of the ground. In this way the surface has been lowered twenty or thirty fect in many places.

The narrow-gauge railroad from Polisade to Eureka is progressing at a rapid rate. The Eurekans are anxiously awaiting its completion, which will materially increase the supply of cheap fuel

The Merced cotton Mills are look-

Over 11,000 immigrants have ar ived by rail since April 1st.

The Marysville woollen miils ar running a full number of hands.

Eight tons of leather, to be sent to Yokohama, were shipped from a Stockton tannery on Thursday. The Marysville rag-carpet factory

is running three looms, and has all Two hundred the honey is what San Diego will prob

ably produce this year.

The Vallejo Elevator Company to be disincorporated. They put in \$100,000, and have only \$2,500 left

The salmon factory at Collinsville has ceased operations for the pres-ent, it being unable to obtain a supply of fish.

A ten stamp mill is being erected at the American Quicksilver Mine, twenty-five mile north of Calistoga Only native Californians and Mexicans are employed at this mine.

It is reported that an immense amount of live stock is being gathered up in Kearn and Tulare counties, preparatory to removal to other pastures, some for the contiguous mountain valleys, but the larger portion for Nevada, New Mexico,

Utah and even Colorado.

OREGON. Work on the Capitol building has

The crickets, lately quite numer-ous in some parts of Eastern Oregon, are disappearing.

A sample of fall wheat is on exhibition at Salem, which is seven feet high. It was grown on land, which has been used annually for 20

Machinery for a small steamer to ply on the Yaquina river, has been sent across the mountains A party of citizens of La Grande

have organized an expedition to search for the "Blue Bucket" diggings, discovered by immigrants in 1845.

It is said that there is a colony of about 300 Germans, now on their way from Kellon, who are destined settle either in Grand Rounde or Wallowa valleys.

Rich diggings have been found on Bridge creek, in Josephine coun-ty, Oregon, and considerable excitement prevails in consequence. A large number of persons are flock-

OPINION OF JUDGE DILLON.

UNION PACIFIC R. R. Co. MERRICK COUNTY.

U. S. Circuit Court, District of Nebraska, May Term

The issue of bonds by a county to a railroad company will not be restrained where the requirements of the statute authorizing the issue have been complied with.

A vote by a county to issue bonds to a given railroad company whose line runs to its county seat is not rendered invalid by a condition that a depot of the company shall be located within a specified distance of the county seat, nor by a condition that the railroad bridge over a large stream in the county shall be so constructed that it may be used as a free wagon bridge.

BEFORE JUDGE DILLON, CIRCUIT JUDGE.)

The statute of Nebraska provided that any county or city in the "State of Nebraska, is hereby authorized to issue bonds to aid in the construction of any railroad, or other work of internal improvement, to an amount to be date."

I Dillon c. c., 394, 398: Railroad Co., 39: Phillips vs Albany et al., 28 Wis., 340: Lawson vs Railroad Co., 30 Wis., 597, Rhey vs Railroad Co., 28 Pa., St. 261: Ib 318.

The law of the State.

held at Lone Tree, upon the 25th day of July, 1873, it was by said board resolved that the following ALVIN SAUNDERS, President. proposition be submitted to the elec-tors of Merrick county, to wit: "Shall the county commissioners of Merrick county aforesaid, for the purpose of aiding in the construcn, extension and completion of

the Midland Pacific Railway, from the city of Lincoin, in the county of caster in said State, town of Lone Tree in said Merrick county, issue the bonds of said county in the sum of one hundred and twenty-five thousand dollars, (\$125,000) payable to the Midland Pacific Railroad Co. or bearer, to be dated the first day of January A. D. 1875, and payable in twenty years from the date thereof, with interest thereon at the rate of ten per cent. per annum from and after the date thereof, payable annually on coupons thereto attached. The principle and interest of said bonds to be paid in the city of New York, said bonds to be deposited with some national bank se-lected by the county commissioners of said county, and the said Mid-land Pacific Railroad Company jointly. Said bonds for \$125,000 to be delivered by national bank selected as aforesaid to said Midland Pacific Railroad Company, or order, when the said Railway shall have been completed from Lincoln aforesaid to Lone Tree aforesald, and shall have regular trains running thereon for business, provided, said rallway, shall have been completed. and have through trains running regularly thereon from Lincoln aforesaid to Lone Tree aforesaid, on or before the first day of January, 1875, and provided, also, the depot of said railway shall be located within one-fourth of a mile of the court-house of said county and, provided, further, that said railroad company shall cross Prairie Island with their road and shall plank their bridge at least eighteer feet in width from the north bank of said Prairie Island to the north bank of Platte river for a wagon bridge, and shall open the same free for a public highway, and shall enter into a good and sufficient contract to keep and maintain said bridge as aforesaid for a highway for ten years from January 1st, 1875; and shall the county commissioners aforesaid cause to be levied annually, in addition to the other taxes, an amount of tax sufficient to pay the interest and after the year 1883 an amount of tax sufficient to pay the principal thereof, provided, such tax so to be levied

shall not exceed the amount authorized by law to aid the construction of works of internal improvement in said State of Nebraska, etc." The other material facts appear in the opinion of the court.

A. J. Poppleton and E. Wakely, for the plaintiff. M. H. Sessions, for the defendants. DILLON, CIRCUIT JUDGE.-This is a bill by the Union Pacific Railroad Company, as the owner of a very considerable portion of the taxable property within the county of Merrick, to restrain the Councy issuing \$125,000 of the bonds of that county to the Midland Pacific Railway Company, pursuant to a vote of the people of the county at an election held on the 30th day of August, 1873. The cause is before the court on final hearing upon the

pleadings and proof. The counsel for the plaintiff relies mainly upon two grounds for the relief sought, which will be briefly

The first is that no copy of the question submitted to the voters of the county was posted up at the place of voting during the day of election in Lone Tree precinct, the town of Lone Tree being the county seat, and that precinct giving in favor of the proposition a larger vote than the majority for the proposition throughout the county, thus con-trolling the result. We held on demurrer to the bill that 'he law of Nebraska made it essential to the regularity of the vote that "a copy of the question submitted should be posted up at the places of voting;" but the proofs quite satisfactorily show that the law was complied with in this respect. It is conceded that a copy of the question was posted on the front door of the court house building (in one of the rooms in which the election was held), and was the usual place for posting official and legal notices: and the evidence also tends very strongly to show that another notice

was posted on the door of the very room (the sheriff's office) in the court house in which the elec-tion was held. This ground of relief, therefore, falls upon the proofs.

The next ground relied on by the

complainant is that "the proposition or question submitted involved three distinct subjects to be passed on, and consequently the submission was illegal. First, the construction of the railroad to Lone Tree; second, the establishment of its depot at a particular place; third, the construction of a wagon bridge over the Platte river.

In support of this position, counsel rely upon Lewis vs. Bourbon county, decided by the supreme court of Kansas, November 15, 1873, and upon Supervisors vs. Railroad Company, 21 Ill., 1873; People vs. Tazwell county, 22 Ill., 147; Clark vs. Hancock county, 27 Ill., 310, and McMillan vs. Lee county, 3

Without examining or questioning these cases, our opinion is that the present case does not fall within the principle they assert. There were not three distinct propositions submitted or three separate projects sought to be aided. On the contrary only one proposition was sub-mitted, viz: to vote aid to the extent of \$125,000 to the Midland Pacific Railway Company ; but this aid was to be upon condition that the depot of the company should be located within one-fourth mile of the court-house of the county, and upon the further condition that the company would so construct its railroad bridge over the Platte river that it might be used as a wagon bridge, and would agree that it

might be so used for ten years, and to that end would keep it in repair during that period. These conditions are reasonable in themselves, and such as the county authorities might in their udgment, require. They are conditions obviously in the interest of the county, and if the vote would have been valid without them, we cannot see why they render it ille-gal. Railroad Os. vs Leavenworth.

"other work of internal improve"ment, to an amount to be deter"mined by the county commission"ers of such county, or the city
"council of such city, not exceed"ten per cent. of the assessed val"uation of all taxable property in said county, or city: Provided,
"The county commissioners or city:
"council shall first submit the ques"tion of issuing such bonds to a "rote of the legal voters of said "county or city, in a manner pre"scribed by the statute."

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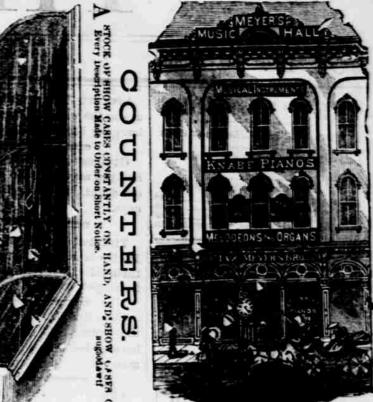
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