NEW WAY TO COLLECT DEBTS.

An Unscrupulous Lawyer Uses Law and Order League Ammunition.

A HEN ON IN THE UNION PACIFIC.

A Quiet But Suggestive Movement by Leading Directors—An Interesting Suit to Commercial Travelers—State Capital Notes.

[FROM THE BEE'S LINCOLN BUREAU].

The Law and Order league has been put to many uses since its formation last fall, by people who have no connection, even of the most remote nature, with it. The power of the organization in prosecuting minor offenders is well known, and as a consequence there are many unscrupulous persons who, in order to enforce the prescribed classes into certain lines of action, do not hesitate to use their fear of the league as a club, threatening openly in some instances to set the officers after them unless specified demands are complied with. The latest effort of this kind is that of a young lawyer, who sees in it a better and surer method of collecting bad debts than by the old warrant course. This lawyer's name is Jonnson, and his shingle, announcing "collections a specialty," hangs on the door of room 25, in the Richards block. Some weeks ago Mrs. Smith, a dressmaker, handed to Johnson for collection a bill against a young sporting woman, who had disputed the account Johnson made two or three demands for the money, and finally sent the following note to her by a messenger:

"Miss May: Pay the bearer of this $5, and $5 each succeeding week until your bill is paid in full. Do this or I will put the Law and Order league after you at once. I will be put off no longer.

B. F. JOHNSON."

The young woman was plucky and bounced the collector, warning him that if he came around again she would hand him over to the police. Yesterday the matter was called to the attention of the Law and Order people, who vigorously denounced Johnson's unauthorized effort to use the organization as an agency for extorting payment of old debts.

WHAT DOES IT MEAN?

"Do you know," said a gentleman well up in railway matters, to the BEE representative yesterday, "that there is a big hen on the Union Pacific nest?" The BEE man allowed that he didn't, and the peeper into the railway hatchery continued: "Well, there's something going on, sure. The Union Pacific people have a good railroad and telegraph line of their own from Valley into Omaha, haven't they? Well, what does the Omaha & Republican Valley railway company, which is a branch of the Union Pacific, want to cover the same ground for? Messrs. Adams, Atkins, Ames and Dexter got together in Boston recently, and as directors of the Omaha & Republican Valley road, amended the articles of incorporation so as to give them the right to build and operate a railroad and line of telegraph from the point of junction of that road with the Union Pacific near Valley station, eastward through the counties of Douglas and Sarpy into the city of Omaha. The right to build to any point in said city, and to all villages and towns adjoining, as well as to operate such spurs, branches and extensions as the directors may deem advisable, is also stipulated. Now what does it mean? Of course as long as the present managers of the Union Pacific retain control of the road they can get along without two lines of railway and telegraph running into Omaha. But the main line is heavily in debt, and the time may come when the creditors will foreclose. If, in such an event, the property should pass into other hands, it would be very handy for the stockholders who own the securities of the branch roads to have an entrance of their own into Omaha. The Omaha & Republican Valley branch is now well connected with the Kansas system, by way of Maryville, and is no mean property. I only give you these hints as my own, and for what you think they are worth."

A little later, when the BEE man reached the state house, Captain Wintersteen, the deputy secretary of state, handed out a copy of the amended articles of incorporation of the Omaha & Republican Valley road, in which the intention to build and operate the above mentioned railway and telegraph lines from Valley to Omaha is stated. There is nothing in the paper beyond this, but what there is set the scribe to thinking that his informant had been guessing pretty close to the truth.

THE DRUMMER IN COURT.

A law suit involving many points of vital interest to commercial travelers has been commenced in the district court for Lancaster county. In October last Messrs. Cloutman & Bingham, boot and shoe dealers at Boston, employed Alonzo P. Chapman to sell their goods in Nebraska, Kansas and Dakota. A contract, to run one year, was signed, giving Chapman exclusive control of the territory named, and guaranteeing him a commission of 5 per cent on all sales, two-thirds to be paid in cash on his sight drafts. Chapman now comes into court and alleges that on the 17th of February defendants discharged him and broke the contract by putting a new man in the territory. Chapman claims that he was averaging $10 per day in commissions, and says that by the neglect of the defendants to forward him money as agreed he was compelled to lose thirty-five days' time, for which he asks judgment of $350. During the life of the contract Chapman sold goods to the amount of $19,455, on which his commissions were $972 75. Of this he has received but $800, leaving a balance due of $172.75. Plaintiff also claims 5 per cent on sales made by the man put in his territory, which would give him $750 more. The total amount alleged to be due, including interest, etc., is $1,772.75. Chapman is well known in Lincoln, having made this city his headquarters, and has many friends who think he has been shabbily treated.

BRIEF MENTION.

The live stock sanitary commission have gone to Red Cloud to investigate some alleged cases of glanders in that locality.

Lew May, of Fremont, appears before the Nebraska public in the new role of a financier, being the principal stockholder and promoter of the new bank of Rushville, which was incorporated yesterday. The bank has a capital of $10,000, of which Lew holds $5,900, his brother Jake $100, and H. A. Chamberlin $4,000. Rushville is one of the prosperous towns in Sheridan county.

Mr. Bullock, of Chicago, the gentleman that has the contract for boring the test well in the salt basin, is on the ground, superintending the starting of the work.

Old Pat Kinney, one of Lincoln's original characters, was out on the warpath yesterday morning and used his fists in a loose and lively manner on the First National bank corner. As everybody knows Pat, no exceptions were taken to conduct that would have insured almost any other man a severe pounding.

Street Commissioner Byer has marked his appointment to office by rescuing the cross walks from the muddy sloughs in which they have been lost all winter.

In the matter of licensing auctioneers, the state supreme court held yesterday that municipal corporations, while they have a right to fix the license fee, can not put it to a prohibitory figure. This upsets the decision of the district court which, on the appeal of the Waugh case, held the other way.

The Landholders' bank, of Hebron, was incorporated yesterday. The capital is $35,000, held largely by J. R. Bowdle, Edward Lavin, C. L. Richards, A. C. Ring and George W. Loebert.

An action has been commenced in the district court by Mary Blakeslee to recover from Mary E. Steele and others $600 alleged to be due plaintiff on an unsatisfied note and mortgage.

A painter who had been employed by George Scherer to put a spring-like tint on his house, fastened himself to a fine gold watch Monday afternoon and went east to look for another job.

Billy Anderson, the humpbacked harness hustler, was assessed $10 by Judge Parsons yesterday for indulging too freely in the flowing bowl.

Officer Sawdery was called over to Meyer & Nissley's store Tuesday evening to arrest a burglar that one of the clerks had found in the cellar. The dry-goods men neglected to close the cellar door, however, and while they were telephoning for the police the unbidden guest "lit out" the back way.

Thursday of next week, April 22, will be Arbor Day. The date having been fixed by the legislature at its last session, there will be no proclamation of the event by the governor.

The members of the fire department are advising the adoption of the Gamewell, or some similar box alarm system. They justly claim that under the present district messenger box service false alarms are too frequent. Councilman Brock has expressed himself in favor of any and all changes that will improve the efficiency of the department.

Postoffice Changes.

Postoffice changes in Nebraska and Iowa, during the week ending April 10, 1886, furnished by Wm. Van Vleck of the postoffice department:

NEBRASKA.

Established—Butterfly, Stanton county, Daniel H. Kern, postmaster; Mars, Knox county, Charles Joerissen.

Postmasters appointed—Gardner station, Platte county, Phebe J. Asher; Gordon, Sheridan county, Mattie Marman; Hamburgh, Red Willow county, W. F. Stockton; Lee Park, Valley county, Benjamin S. Silly; Longwood, Custer county, John E. Hohman; Pella, Lancaster county, Cornelius Van Diest; Rockford, Furnas county, Mrs. Harriet J. Rexford; Star, Holt county, G. W. Damon; Wells, Webster county, Wm. H. Hoffman; Willowdale, Antelope county, James Bailey; Yutan, Saunders county, Wm J. Parmenter.

IOWA.

Established—Bouton, Dallas county, David O'Bryan, P. M.

Postmasters Appointed—Beacon, Mahaska county, E. H. Crandell; Crescent, Pottawattamie county, Warren Hough; Irwin, Shelby county, E. J. Trobridge; Percival, Fremont county, Jerry H. Williams; Soldier, Monona county, Mrs. J. M. Carritt.

PILES! PILES! PILES

A sure cure for Blind, Bleeding, Itching and Ulcerated Piles has been discovered by Dr. Williams, (an Indian remedy), called Dr Williams' Indian Pile Ointment. A single box has cured the worst chronic cases of 25 or 30 years standing. No one need suffer five minutes after applying this wonderful soothing medicine. Lotions and instruments do more harm than good. Williams' Indian Pile Ointment absorbs the tumors, allays the intense itching, (particularly at night after getting warm in bed), acts as a poultice, gives instant relief, and is prepared only for Piles, itching of private parts, and for nothing else.

SKIN DISEASES CURED.

Dr. Frazier's Magic Ointment cures as by magic, Pimples, Black Heads or Grubs, Blotches and Eruptions on the face, leaving the skin clear and beautiful. Also cures Itch, Salt Rheum, Sore Nipples, Sore Lips, and Old Obstinate Ulcers.

Sold by druggists, or mailed on receipt of 50 cents.

Retailed by Kuhn & Co., and Schroeter & Conrad. At wholesale by C. F. Goodman.

A Useful Attendant.

Wasp: Berry Wall may be the king of the dudes, but the emperor of that fraternity is certainly a Boston exquisite now at the Palace. This hot-house flower of modern "sassiety" is followed everywhere by a solemn footman who has never been known to open his lips.

The other day an acquaintance of the Bostonian met him on Market street and said:

"By the way, my dear boy, what on earth do you keep that servant tagging after you for? He doesn't seem to be of any use."

"You are very—aw—much mistaken, old chappie," drawled the dude. "I—aw—I couldn't get along without him—couldn't, really," and he took out his cigarette case. "Light!"

The man stepped up and unbuttoned his coat.

"Doncher notice his vest, dear chappie," said the lu-lu. "It's made of sandpaper. I use him to scratch matches on."

The "Exposition Universelle de l'art Culinaire" awarded the highest honors to **Angostura Bitters** as the most efficacious stimulant to excite the appetite and to keep the digestive organs in good order. Ask for the genuine article, manufactured only by Dr. J. G. B. Siegert & Sons, and beware of imitations.

The Force of Habit.

Chicago News: "The force of habit is a wonderful thing," said the philosophizing passenger who expectorated upon the floor; "now just to show you I'm a photographer out in the country here a piece, and the other day I was called out to take a negative of a dead man. At my suggestion his relatives propped him up on some chairs so that his position would be somewhere near natural, and then stood back while I took him. After focusing the lens I stepped out, looked to see that everything was all right, said 'now, hold still a moment, please,' and made the exposure. Right there was the first laughter that had been heard in that house for two weeks."

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.

Deadwood is now the only prominent city in the Black Hills with a republican postmaster.

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PEARLINE

The Great Invention,

For EASY WASHING,

IN HARD OR SOFT, HOT OR COLD WATER. *Without Harm to FABRIC or HANDS*, and particularly adapted to *Warm Climates*. No family, rich or poor, should be without it.

Sold by all Grocers, but *beware* of vile imitations. *PEARLINE* is manufactured only by

JAMES PYLE, NEW YORK.

MAYOR BOYD'S MESSAGE.

He Extensively Reviews City Matters and Improvements During the Past Year.

The following is the full text of the Mayor's message delivered to the council:

Gentlemen of the City Council—In accordance with an established custom, I take this occasion to communicate with your honorable body and present you with reports from the several departments, giving an account in detail of their operations for the past year.

During the years 1883 and 1884, the clause in our charter prohibiting the mayor and city council from incurring any liability in excess of the amount authorized by law was repeatedly violated, and an indebtedness was created for which $100,000 in bonds were issued. The amount ($103,532.50) realized from the sale of these proved insufficient to pay said indebtedness, and the sum of $23,000 was taken from the general fund to liquidate the remainder. For this reason but little grading and other work, the payment of which has to be made from the general fund, was done the past year.

There is always a disposition on the part of the council to contract for and do more work than there are funds to pay for the same, and to this I especially desire to call your attention. On the 19th and 20th ult., during the absence of the mayor, special meetings of the council were called, contracts for paving were entered into and approved for about $15,000 in excess of the amount of $50,000 of bonds voted for such purposes. Indeed, under the present assessed valuation of the city but $28,000 of the $50,000 paving bonds voted can at present, be issued.

Our total bonded indebtedness is but $857,950, which is very small for a city the size of this. On July 1st next this will be reduced by the payment of $100,000 school district bonds. Funds are now in the hands of the board of education for this purpose. Five per cent city bonds will sell for 3 or 4 per cent premium, and we certainly have just cause to feel satisfied with our financial standing. Five hundred and twenty thousand dollars of our indebtedness has been spent for paving and sewerage; and Omaha, instead of being, as she was in 1881, celebrated as the muddiest city in the Missouri valley, is to-day the best paved city of 70,000 inhabitants in the United States. So far our public works have been done economically and well, and there has been but little fraud or peculation. There are three different departments to which all work is subjected before payment is made: The board of public works, the city council, and the mayor; and, although it is almost impossible, after having passed the inspection of all these, that any error should occur, or that the city should be defrauded in any manner, still it behooves the council to be on the alert to prevent the wily schemes of the designing in their raids upon the public treasury. Every citizen is interested in having an honest and economical administration of the city government, and we can congratulate ourselves that we have until the present escaped the baneful influence of rings usual to cities.

STREET COMMISSIONER.

Under the direction of the street commissioner since April 1st, 1885, over $14,000 has been expended. All except $2,000 of this amount was paid out for repairs on streets. While this sum may seem large, it does not exceed the amount annually expended before our streets were paved, when our city was not half its present size. I would advise, however, that the disbursements for this purpose be kept at the lowest possible limit, as the work done is mostly of a temporary character.

POLICE FORCE.

At this time I will only speak in a general way of the police force of this city. It is composed of but thirty men, which number is certainly inadequate for the proper protection of our citizens. I would advise that it be increased as fast as the provisions of the charter, limiting the maintenance of the police department to 3½ mills on the dollar, will permit.

The duties of policemen are peculiar, and but few men are, in all respects, fitted for the position. A policeman should be a man of true courage, not rash, of good judgment, self possessed, temperate, keen and observant, with good memory for facts and faces. A commanding officer cannot be successful unless those under him have confidence in his ability; and in order to have an efficient police force the marshal must have the respect and confidence of his men. I would be glad if the law could be so amended as to place this branch of government under the control of a board of police commissioners, so as to make it entirely non partisan. There should also be a scale of wages increasing in proportion to the time served, making it an inducement for deserving men remain on the force.

OUR PUBLIC SCHOOLS.

Our public schools are conducted by a board of education, entirely separate from the city government, and the mayor and council are only called upon to provide means for their support. From what I learn, I judge the same high standard for which they have long been noted has been fully maintained. According to the treasurer's report, the total amount of money spent in this department, for the past sixteen months, has been $242,557.20. Of this amount $20,000 was paid for interest and $45,000 expended for buildings, school house sites, curbing, guttering and paving. The pay roll for teachers' salaries alone exceeds the sum of $100,000 per annum. Although our school buildings are very commodious and superior in style and character, they are not adequate to our present wants. On the 1st of July next $100,000 of school bonds will be paid, thus reducing the expense for interest, $10,000 per annum.

FIRE DEPARTMENT.

The city has just reason to feel proud of its fire department. It is composed of men who thoroughly understand their calling, ready at all times to respond to the tap of the bell. For information in regard to the number of fire and losses during the past year, I refer you to the report of the chief, which is herewith submitted. There is one statement in that report to which I especially desire to call the attention of all our citizens, and that is that during the past year the sum of $202,973.86 was paid in premiums to fire insurance companies. This shows conclusively, to my mind, that most of the property is insured for too great an amount.

SEWERAGE.

The health of the city depends in a great measure upon its supply of water and its system of sewerage. It is gratifying to know that our city is free from the odious gases and odors that in most other cities are emitted from sewers at every corner of their streets. According to the report of the sewer inspector there was but $2,284.00 expended for salaries and in keeping our system in good working condition. This is certainly a very small sum. There can be no doubt that the Waring system of sewerage is, for sanitary purposes, the best ever devised. It is not intended for storm water or waste water from elevators, and in the business portion of the city other means will have to be provided for the overflow from the latter. One hundred thousand dollars in bonds have been voted for sewerage purposes, and I would advise that the Waring system be extended as fast as possible. Aside from its being the healthiest, it is the cheapest system extant.

WATERWORKS COMPANY.

I would advise that special legislation and consultation be had with the waterworks company in regard to the supply of water for that part of our city in the vicinity of Hanscom park, as well as other extreme sections. The difficulty is not due so much to elevation as to distance from the distributing point and the insufficient size of pipe. This diminishes the velocity. I think, eventually, in order to obtain pressure for fire service in those portions of the city referred to, an auxiliary system of stand pipes must be erected on the hills. Fire hydrants have already been located in portions of the city where, owing to distance, elevation, and smallness of pipe, they are of but little use for fire protection. I would suggest that hereafter before any hydrants are located the committe on fire consult with the city engineer and the chief of the fire department, in order that they may be placed properly and at points where they will be of least expense to the city.

BOARD OF PUBLIC WORKS.

The board of public works have the general superintendence of all contract work, the care of paved streets and the supervision of all other public work done by the city. To them are we largely indebted for the good and substantial character of our public improvements and for the faithful manner in which all work has been executed.

A suggestion made in their report, "That an inspector be appointed to inspect all material before it goes on the streets," is a good one. As also, "That a machine be purchased for the purpose of testing all cement used."

CITY ENGINEER.

The report of the city engineer is very voluminous and gives in detail an account of all contract work that comes under the jurisdiction of the engineering department. According to this report it will be seen that our city has about nine and one-half miles of paved streets, one and three-quarter miles of paved alleys and twenty-two miles of sewerage.

The pavements already contracted for the year 1886 will cost, inclusive of intersections, about $350,000. As soon as possible, after the next levy is made, if the assessed valuation of the city will permit, the council should provide for submitting to the voters of the city a proposition to vote an additional $50,000 in bonds for paving purposes, and to pay the $15,000 excess already mentioned.

Contracts have been let for an iron viaduct on Eleventh street, over the Union Pacific and B. & M. railroad tracks, which will cost about $85,000. The council has authorized the construction of a viaduct, to be built of wood, on Sixteenth street over said railroad tracks, which is designed to cost about $30,000, and this viaduct is now being advertised for.

Under the charter, provisions must be made in preparing the next levy for a general assessment for the viaduct fund covering one-fifth of the cost and damages of each of these viaducts. This will require about $35,000. There will be expended during the year 1886 $350,000 for grading, paving, sewers, curbs and viaducts. Of this amount, the city will be required to pay about one-third.

The manner in which the condemnation of property for public use has been acted upon by the preceding councils, has, according to my judgment, been irregular and illegal. After appraisers have been appointed and have made their report to the council, an ordinance should be passed authorizing and instructing the city treasurer to tender to property owners the amount of assessed damages. This ordinance should also contain a section declaring such property vacated and dedicated to the public use, to take effect when the above conditions were complied with.

The past year has been one of great prosperity, and the prospect of continuous or still further advancement is most flattering. While I am in favor of liberal expenditures for public improvements, and opposed to any narrow-minded policy in this respect, the people's money should not be spent unless necessary for the public good, to the end that taxation be as little burdensome as possible. The affairs of the city should be managed in the same careful and economical manner in which prudent men conduct their own business.

In conclusion I desire to assure you that you will find me ready at all times to co-operate with you in all measures for the good of the city, and if any difference of opinion should arise on my part I will always discuss the issues in a spirit of fairness free from bias of any kind; and my action shall always be guided by the consideration of the best interest of our rapidly growing metropolis.

This morning after the above was printed I received a copy of the annual report of the city attorney but too late to make any note of it except to say that I consider it a very satisfactory and favorable showing.

Very respectfully,
JAMES E. BOYD, Mayor.

She has the complexion of a peach—Pozzoni's Medicated Complexion Powde, did it. Sold by all druggists.

Supreme Court Decisions.

The following opinions were handed down by the supreme court justices yesterday:

Webster vs Wray. Error from Hitchcock county. Reversed. Opinion by Cobb, J.

1. In an action against a third person on a simple, non-negotiable contract, it being alleged in the petition that one of the parties to the contract acted as the agent of the defendant in making said contract, although he did not sign the same as agent, or name the defendant as his principal, evidence will be received to show that such nominal party to the contract was authorized to make the same for the defendant; that he in fact did make the same for him, and upon such proof, the defendant will be held.

2. No party can be charged as principal upon a negotiable note, or bill of exchange, unless his name is thereon disclosed.

3. An exception to this rule arises where officers, or clerks in banking houses, or other persons who are permitted to act as such, receive money or securities over the bank counter, and issue therefore, drafts, bills or negotiable certificates of deposit. In all such cases, the banking house is ultimately liable, although such draft, bill or certificate, may be signed by such officer, clerk or person, without disclosing the name of the banking house.

Tootle, Hosea & Co. vs Jones. Error from Harlan county. Reversed. Opinion by Reese, J.

1. The order of a justice of the peace, or a county judge, in the exercise of the same powers and jurisdiction, in setting aside a judgment rendered in the absence of a defendant, when made under the provisions of section 1,001, of the civil code, should be made conditionally only, in the first instance, and cannot be finally made unless the conditions of the section are complied with by the party seeking to open the judgment. If notice is not given to the plaintiff as required, the application should be overruled and the original judgment be allowed to stand. The giving of the notice is jurisdictional.

2. An application to set aside a judgment, under the provisions of section 1001 of the civil code, is a recognition of the regularity of the judgment and a waiver of any objection that the judgment was prematurely rendered.

3. Where a judgment of a justice of the peace, or county judge, is taken on error to the district court and reversed, and the original case retained for trial in that court, such judgment of reversal is a final judgment, and may be reviewed by the supreme court, without waiting for the final disposition of the original case in the district court. Banks vs Uhl, 5 Neb., 240.

Morse vs Hitchcock county. Injunction allowed. Opinion by Maxwell, Ch. J.

1. Where an unorganized county is attached to an organized one for election, judicial and revenue purposes, and the proper officers of the organized county levy taxes upon the property in the unorganized one, and prior to the time such taxes become due the unorganized county becomes organized by the election and qualification of the proper officers, such taxes are to be paid to the treasurer of the new county. F., E. & Mo. V. R. R. company vs county of Brown, 26 N. W. R., 194, adhered to.

2. It is the duty of the clerk of the new county to take or procure a transcript of all deeds, mortgages, judgments and liens of every description, upon real or personal property lying and being in the newly organized county.

3. Plea of former ajudication. Held: Not sustained.

4. A mere taxpayer cannot, in the first instance at least, institute proceedings against the county clerk of the county to which the new county was attached, to compel him to furnish a transcript of deeds, mortgages, judgments, etc. State vs. Sovereign, 17 Neb., 173.

State ex rel Van Valin vs Bloom. Mandamus. Writ allowed. Opinion by Maxwell, Ch. J.

1. Money can be drawn from the treasury of a school district only by orders on the treasurer, signed by the director, and countersigned by the moderator.

Allen vs Van Ostrand. Error from York county. Affirmed. Opinion by Maxwell, Ch. J.

1. Where stock is taken up under the herd law and notice served on the owner, he has forty-eight hours after receiving the notice to pay the damages and costs and take his stock away.

2. There is no provision in the statute for adding to the damages claimed, after the service of notice.

3. A took up certain stock of B and served a notice on B, stating the amount of damages claimed. About thirty-four hours afterwards B went to the residence of A, their farms adjoining, and tendered to A the amount of damages stated in the notice, and demanded his stock. A thereupon demanded an additional sum for keeping the same since the time of notice. This was refused. About 9 o'clock p. m. of the same day, and before proceedings in replevin were instituted, A went to the residence of B and notified him to take away his stock and pay him (A) the amount first claimed. Held: That A did not thereafter wrongfully detain the stock.

Bowers vs Rice. Error from Franklin county. Affirmed. Opinion by Maxwell, Ch. J.

1. When by the verdict either party is entitled to recover money from the adverse party, the jury in their verdict must assess the amount of recovery.

2. A verdict in an action to recover money, was in the following form: "We, the jury, duly impaneled and sworn, do say that we find for the plaintiff." Held: Not to authorize a judgment for any sum whatever.

Caldwell vs Lincoln. Error from Lancaster county. Reversed. Opinion by Maxwell, Ch. J.

1. While cities of the second class, having more than 5,000 inhabitants, have authority to impose a tax on any occupation or business within the limits of the city, yet such ordinance must be so framed as to make such taxes uniform in respect to the classes upon which they are imosed, and such taxes must be reasonable, considering the nature of the business, and not so high as to prohibit the carrying on of the business.

2. The power to impose taxes is derived alone from the statute, and must be expressly conferred, or be necessarily implied.

3. The right to recover under the statute, illegal taxes paid under protest, held applicable to a business tax collected under a void ordinance.

O'Brien vs O'Brien. Error from Dodge county. Affirmed. Opinion by Reese, J.

1. An application to modify a decree of divorce is a special proceeding within the meaning of section 581 of the civil code, and an order made therein, affecting a substantial right, may be reviewed on error. In such case it is not necessary to a review, that the error complained of terminates the action, or prevents a judgment.

2. In such case where the divorced wife seeks a modification of the decree for alimony, alleging that the decree was obtained by the fraud of the husband and his agents, the district court has authority to require the husband to pay into court a reasonable sum of money, to enable her to prosecute her action.

Crutts vs Wray. Error from Hitchcock county. Reversed unless $65 remitted. Opinion by Reese, J.

1. The rule laid down in former decisions, that a motion for a new trial must be in the court below, in order to entitle a party to a review of the case by petition in error, where the alleged errors occurred upon the trial of the cause, adhered to.

2. In an action of replevin, where the verdict is in favor of the defendant, whose ownership is special by reason of chattel mortgage or other lien, the measure of his damages, in case a return cannot be had, is the amount due him upon his lien, if within the value of the property, as found by the jury. But such damages should in no case exceed the value of the property.

Most complexion powders have a vulgar glare, but Pozzoni's is a true beautifier, whose effects are lasting.

A Rat Cremated by Electricity.

Electrical Review: A rat while attempting to escape from human enemies in the electrical light station at Reading, Pa., a few weeks ago, jumped directly from the floor onto one of the brushes and was thrown back to the ground. He lay motionless, apparently and certainly dead, but without even a hair turned. One of the employes was sent with a shovel to gather it up, but as soon as the shovel touched it the rat fell to dust with a little cloud of particles arising from the spot where the body had seemingly lain. There was no vestige of hair, flesh or bones remaining.

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THE ONLY
PURE STIMULANT
FOR THE SICK, INVALIDS,
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AGED PEOPLE,
WEAK AND DEBILITATED WOMEN.
For sale by Druggists, Grocers and Dealers.
Price, One Dollar per Bottle.
☞ Sold *only* in sealed bottles, and none genuine except such as bear our trade-mark label of the old chemist, as above, and the name of company blown in bottle.
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