

THEY HAVE BECOME LAWS
GAMBLING AND CRIMINAL LABEL
Two Very Important Measures Receive the Signature of Governor Thayer.
The Chief Executive Places His Disapproval Upon the Bill Establishing Thurston County—Capital News.

FROM THE BEE'S LINCOLN BUREAU.
Governor Thayer has signed both the criminal anti-label and gambling bills, the former bill being as follows:
If any person shall write, print or publish any false and malicious and concerning the conduct of any person or shall cause or procure any such libel to be written or published, every person so offending shall upon conviction be fined in any sum not exceeding five hundred (\$500) dollars or be imprisoned in the county jail not exceeding six months, or both at the discretion of the court; and, moreover, liable to the party injured. Provided that if said libel is published in a newspaper having a general circulation, the person so offending shall be punished by imprisonment in the penitentiary not less than one nor more than three years.
The governor has also signed the anti-gambling bill, which is as follows:
Be it enacted by the legislature of the state of Nebraska:
Section 1. That section 214 of the criminal code be amended to read as follows:
Section 214. Every person who shall play at any game whatsoever for any sum of money or other property of value, or shall make any bet or wager for any sum of money or other property of value, or shall use any money or property upon any gaming table, bank, or device, or who shall bet upon any game played at or by means of any such gaming table, or gambling device, shall, upon conviction, be fined in any sum not less than \$100, and not exceeding \$500, or be imprisoned in the penitentiary not more than one year, and upon a second or any subsequent conviction, shall be fined in any sum not less than \$500 and not exceeding \$2,000, or be imprisoned in the penitentiary not less than two nor more than four years; provided, that if any person or persons who shall lose any property or money in a gambling house or other place, either at cards or by means of any other gaming device or game of hazard of any kind, such person, the sheriff, or either, shall have their legal representatives or creditors, shall have the right to recover the money or the amount thereof, or the property of the value thereof, in a civil action, against the person or all persons participating in the game, and may join the keeper of the gambling house or other place in the same action, who shall be jointly and severally liable for any money or property lost in any game or through any gaming device of any kind, and no title shall pass to any person, either at law or in an action to recover the same, no evidence shall be required as to the specific kind or description of money, but only as to the amount so lost.
Section 2. That section 215 of said code be amended to read as follows:
Section 215. Every person who shall set up or keep any gaming table, bank, keno or any kind of gambling table, or gambling machine, or any machine of any kind, under any name or denomination, or name whatsoever adopted, devised, and designated for the purpose of playing any game of chance for money or property, except billiard tables, or who shall keep any billiard table for the purpose of setting or gambling on, shall be deemed a keeper of such table, and shall be used for such purpose, shall upon conviction be punished by fine of not less than \$50 and not exceeding \$200, or to be imprisoned in the penitentiary not exceeding two years.
Section 3. Sections 214 and 215 of the criminal code as now existing are hereby repealed.
THURSTON VETTED. Following objection to the establishment of Thurston county:
Executive Department, Lincoln Neb., April 2, 1887.—I have received the petition for the establishment of a new county, to-wit, Thurston county, Nebraska, under the name of "Thurston county," with my objections to the same.
This bill proposes to take from Burr, Wayne and Dakota counties portions of the territory of those respective counties, and form them together with what has been known as Blackbird county, into a new county, to be called Thurston county.
My objections are these:
First, this bill is unconstitutional. See the following Constitution of the state of Nebraska.
ARTICLE X—COUNTIES.
Sec. 2. (Division.)—No county shall be divided, or have any part stricken therefrom without first submitting the question to a vote of the people of the county, nor unless a majority of all legal voters of the county voting on the question vote for same.
Sec. 3. (Same.)—There shall be no territory stricken from an organized county, except a majority of the voters living in such territory shall petition for such division.
No vote of the people residing on the portions set off from Wayne and Dakota counties has been taken, and none is provided for in this bill. Nothing has been presented by the petitioners that the people have had any opportunity whatever to give expression to their sentiments with reference to the proposed division, and made part of a new county. They had never petitioned for it. On the contrary, remonstrances have been presented from large numbers against the legal stricken from their respective counties.
This bill, therefore, in this respect, is a palpable violation of the above quoted provisions of the constitution.
Second, the bill is unconstitutional for the reason: See the following Constitution of the state of Nebraska.
ARTICLE X—COUNTIES.
Section 1. (Area.)—No new county shall be formed or established by the legislature which will reduce the county or counties, or either of them, to a less area than 400 square miles, nor shall any county be formed of a less area.
It will thus be seen that any county to be formed must have an area of at least 400 square miles. The only portion of the proposed county of Thurston which is open to settlement is comprised within the limits of about thirty square miles, and the remainder of the Omaha Indian reservation which lies west of the Chicago, St. Paul, Minneapolis & Omaha railroad, and the territory on which the Indian title has been extinguished. This comprises all there is out of which to form Thurston county, and is far less than 400 square miles within the provisions of the constitution declaring that every county to be formed must have 400 square miles in area, the bill proposes to take the whole of the Omaha and Winnebago reservations. This certainly is not the intent and meaning of the constitution. The intent and meaning is that there shall be 400 square miles of territory which is open to settlement, which can be bought and sold and over which county government can be established and have control. It must be a county for practical purposes. There must be county commissioners or supervisors. There must be other county officers. There should be at least an area of 400 square miles to contribute to the revenue for the support of the county. The act of 1855, denoting the boundaries of Blackbird county, has remained entirely operative and has never been repealed. It has never been recognized or treated as a county. The act was passed for the reason that the county could not be organized and operated, because it was an Indian reservation. The territory had no control over it for the collection of revenue and general administrative purposes.
It has been set forth by the supporters of this bill that the laws which added those portions to Burr, Wayne and Dakota counties, which this bill proposes now to take away, were unconstitutional. The answer to that is this: These laws have remained in force to this time, they have never been repealed, and they have never been declared unconstitutional by the courts, which alone are intitled by law to do so. If they were unconstitutional, they would have been repealed. They must therefore be regarded and treated as constitutional. Furthermore, their constitutionality has never been questioned. It was proposed to change the relations of the people of these counties now is not in the direction of public policy. To divide a county, or to strip a county of a portion of its territory, without the consent of the people living thereon, and without the consent of a majority of the people of the county, is a public wrong which should not be sanctioned by law, besides being in disregard of constitutional provisions.
I took up this bill with a desire to see my own clear to approve it, but the more I have examined it the more I have been convinced

with insurmountable difficulties and the more I have been convinced that it is in direct violation of the constitution. I therefore withdrew from it my approval.
April 5, 1887. JOHN M. THAYER.

THE APPOINTMENT BILL.
The governor neither signs nor vetoes the appointment and removal bill. He allows it to become a law by lapse of time, with the following endorsement:
EXECUTIVE DEPARTMENT, LINCOLN, NEB., April 5, 1887. I have reviewed with the secretary of state, house roll No. 386, an act to district the state into senatorial and representative districts, and for the appointment of senators and representatives, and to fix the number of the same, and to repeal sections one and two of chapter five of our compiled statutes of Nebraska.
I have been asked to withhold my approval from this bill on the ground of alleged irregularities in connection with it, after it had passed both houses. It came to me bearing upon its face strict conformity to the constitution and the laws, there being no property certified to by any officers of the respective houses. In my judgment, I am not at liberty to go behind their record.
I am convinced that this bill inflicts very great injustice upon Adams and Saunders counties, and possibly upon some others, but I have not had time to investigate the matter. If I should veto this bill I would inflict a very great wrong upon the people of a far greater portion of the state.
I therefore sign this bill, and I do so without my signature.
JOHN M. THAYER.

THE CITY ELECTION.
The democratic victory in the city election has been a cause of great rejoicing the past twenty-four hours in the ranks of the opposition, and they picture great success in the future. They have now a democratic mayor and a majority of the council opposition, and the machinery will undoubtedly be put in operation to make the county democratic the coming fall. One republican, in the face of defeat, was however, his friends, and rendering thanks that they had elected the cemetery trustee, which insured them at least decent burial. The majority of republicans view the field with ominous ill luck for the future, and democrats are claiming that with the assistance of their friends, the bolters, they will be elected in the fall. The saloon vote was equally divided and they expect no trouble from the democratic mayor. Yesterday Mr. Roazen appeared in court to pay a fine for hitting Webster, and Webster appeared at the same time and withdrew the charge.

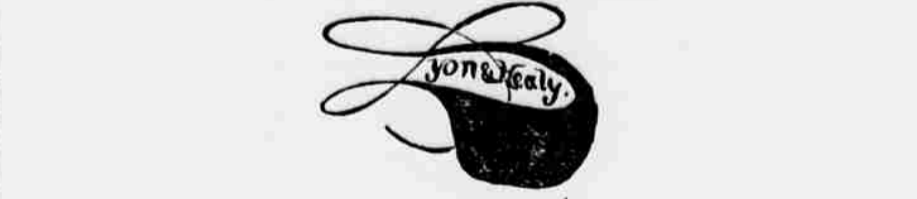
SUPREME COURT PROCEEDINGS.
The following decisions were filed yesterday:
Smith vs. State. Error from Lancaster county. Judgment reversed and prisoner discharged. Opinion by Maxwell, Ch. J.
L. Where a habeas corpus case is brought on error from a district court the ordinary rules as to the time of filing briefs will not be adhered to, but the case will be heard as soon as practicable after the petitioner's brief is filed.
2. A complaint must charge explicitly all that is essential to constitute the offense, and it cannot be added by intentions.
3. Section 320 of the criminal code contemplating the commission of a crime against the person to be arrested and delivered up, must be made in the state where the offense was committed. The charge must be to some officer or other person, and must be an indictment, complaint, or other accusation known to the laws of such state or territory, and a complaint made before the expiration of this state, which falls to allege what such charge is pending against the accused in the state where it is alleged the offense was committed, will not confer jurisdiction on such magistrate.
Mann vs. Volton. Error from Holt county. Affirmed, conditionally. Opinion by Reese, J.
1. The exemption of \$500 in personal property in favor of a judgment debtor, provided by section 321 of the civil code in lieu of a homestead, must depend upon the filing of the inventory as provided by section 523, and the selection of the property claimed by the debtor to be exempt.
2. A garnishment cannot be maintained against an officer for property levied upon and claimed to be exempt under said section until after the inventory is filed and the appraisal and selections are made.
3. A new trial will not be granted where it appears as a matter of law that upon the conceded facts the result must be the same.
Parker vs. Matheson. Error from Antelope county. Affirmed. Opinion by Reese, J.
1. An action to foreclose a tax lien on real estate may be brought on the tax certificate, where it is alleged in the petition that a deed would be invalid if issued. In such case the cause of action would accrue at the expiration of the time within which the landowner might redeem, and suit may be brought at any time within five years thereafter.
2. A purchased land at tax sale on the 6th of February, 1887. A deed was refused by the treasurer when demanded, for the reason that no notice was given of the expiration of the time for redemption, and that the sale was void. On the 21st day of February, 1888, more than five years after the expiration of the time for redemption he commenced his action to foreclose the tax lien. Held, that his cause of action was barred by limitation.
State, ex rel. Hymer vs. Nelson. Mandamus. Writ denied. Opinion by Maxwell, Ch. J.
Where a petition was presented to the county commissioner for E. county, purporting to contain the names of 644 resident electors of said county, asking said board to call a special election for the election of the county seat, the whole number of votes cast in said county at the preceding general election being 728, a remonstrance signed by 1154 persons residing in E. county, and all of said county, against the calling of said election was thereupon presented to said board, alleging that said petition was signed by persons who were non-residents of said county, and by minors and others not authorized to sign. It was held that the board was not bound to call said election, and that the whole number of lawful petitioners was less than three-fifths of all the votes cast in said county at the preceding general election. State vs. Nounah county, 10 Neb. 32.
2. The decision of a special tribunal, where it has jurisdiction of the subject matter and parties, is conclusive unless reversed or modified in the mode provided by law.
3. A new trial will not be granted unless the right of the relator thereto is clear.
Uecker vs. Kuhn. Appeal from Pierce county. Affirmed. Opinion by Maxwell, Ch. J.
Where the evidence is conflicting and it is apparent that some of the witnesses are the defendants, were mistaken, and that their testimony was discredited by the court, the judgment will not be set aside as being against the weight of evidence.
3. Where an infant purchases real estate and receives a conveyance thereof, and at the same time executes a mortgage upon the land to secure notes given for the purchase money, such mortgage is voidable only, not void, and when on reaching majority he sells and conveys such real estate, he thereby confirms the mortgage.
Western Horse and Cattle Insurance company vs. O'Neil. Error from Platte county. Judgment for insurance on mare reversed and judgment entered in this court for the amount of the insurance on the horse. Opinion by Maxwell, Ch. J.
One O'Neil insured a mare for the sum of \$100 in the Western Horse and Cattle Insurance company, and afterwards violently beat and abused said mare by striking her with an iron bar, and thereupon she became blind. A testimony clearly established the fact that the death of said mare was the result of such striking and abuse, and that O'Neil was not intitled to recover the amount of the insurance for the death of said mare.

FIELD AND FARM.
Distance in Planting.

Farm, Field and Stockman: Professor Sanborn, of the Missouri agricultural college in experiments at various distances apart, and also with different numbers of grains in the hill, finds that the best average was obtained by thick rather than thin planting, and this tallies with the experience of the most practical planters in the west. In check sowing four feet eight inches apart each way and three good plants to each hill being the rule, four plants would give a larger yield, but the ears would be smaller, and the cost of husking would be somewhat greater. The results would be somewhat greater. The results obtained by Professor Sanborn, as related by him, were as follows:
Six rows of corn, about sixty rods to the row, were planted 4 1/2 feet, four plants to the hill.
Six rows of corn, about sixty rods to the row, were planted 4 1/2 feet, four plants to the hill.
Six rows of corn, about sixty rods to the row, were planted 4 1/2 feet, three plants to the hill.
Six rows of corn of about sixty rods to the row were planted 4 1/2 feet, two plants to the hill.
At harvest the hills were carefully counted and stood in numbers according to the following table:
First six rows had 3,900 plants standing.
Second six rows had 4,500 plants standing.
Third six rows had 4,500 plants standing.
Fourth six rows had 3,132 plants standing.
Yield of first six rows was 1194 pounds of ears; per acre, 217 or 31.1.
Yield of second rows was 1090 pounds of ears; per acre, 204 or 41.7.
Yield of third six rows was 1159 pounds of ears; per acre 217, or 30.2.
Yield of fourth six rows was 1159 pounds of ears; per acre 217, or 30.2.
If there is any difference in the quality of the land it was in favor of the first six rows. The variety of the corn was the Thompson, a variety of average size. The year was well known to have been a very poor corn year and one not favorable to thick planting. The ground is an upland soil, rolling and inclined to be dry. It is the poorest tillage field we have on the farm.

DEWEY & STONE
FURNITURE
A magnificent display of everything useful and ornamental in the furniture-maker's art, at reasonable prices.

THE 75th GRAND DRAWING, MARCH 20th.
NO BLANKS. BIG PRIZES OR REWARDS!
One Million Distributed Every Year
REACCUMULATED IN THE STATE DIVIDED AMONG A FEW LUCKY OWNERS EVERY 3 MONTHS.
Only \$2.00 required to secure one Royal Italian 100 francs gold bond. These bonds participate in four drawings every year and retain their original value until the year 1944. Bonds of \$20,000, 50,000, 100,000, 250,000, &c. francs will be drawn, besides the certainty of receiving back 100 francs in gold, you may win 4 time every year.
This is as good, and the best, investment ever offered, as the invested money must be paid back when bond matures. Send for circulars as it will pay you to do, or send your orders with money or registered letter, or postal notes, and in return we will forward the documents.
BERLIN BANKING CO., 305 Broadway, New York City.
N. B. These bonds are not lottery tickets, and their sale is legally permitted in the U. S. by laws of 1878.



Display at their warerooms, 1305 and 1307 Farnam Street, the largest assortment of Pianos and Organs to be found at any establishment west of Chicago. The stock embraces the highest class and medium grades, including

STEINWAY, FISCHER, LYON & HEALY
PIANOS
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Prices, quality and durability considered, are placed at the lowest living rates for cash or time payments, while the long established reputation of the house, coupled with their most liberal interpretation of the guarantee on their goods, affords the purchaser an absolute safeguard against loss by possible defects in materials and workmanship.

LYON & HEALY,
1305 & 1307 FARNAM STREET.

CUMMINGS & NEILSON,
Dealers in

Paints, Oils, Glass and Varnishes
Painters' and Artists' Supplies. Plymouth Cottage Colors.

Ready for use in new and desirable shades. Quality Guaranteed
1118 Farnam Street, - - Omaha, Nebraska
The C. E. Mayne Real Estate and Trust Co.
N. W. COR. 15th AND HARNAY, OMAHA.
Property of every description for sale in all parts of the city. Lands for sale in every county in Nebraska.
A COMPLETE SET OF ABSTRACTS
Of Titles of Douglas county kept. Maps of the city state or county, or any other information desired. furnished free of charge upon application.

the pile of dead bees in the bottom of the hive and on the bottom board showing that the bees were suffering for water when they began to die. Pershing every farmer. Clover or alfalfa hay, cut and mixed before being fed to horses there will be fewer animals suffering from heaves. Feeding dusty materials is usually the cause of the difficulty.
If your land is well underdrained you will often be able to plow while your neighbor who may not have underdrained is waiting for his ground to dry off before he can begin.
A mixture of equal parts of red pepper and Scotch snuff thrown into rat holes will cause the vermin to leave. Rats soon become suspicious of poison, and the mixture easily frightens them.
All food cooked for stock is more easily assimilated than when raw. It is only a question of cost in cooking grain trees and thickened with ground grain made an excellent mess for all kinds of stock.
Manuring land by plowing under some kind of green crop, such as millet, buckwheat, oats or peas, should be the object of every farmer. Clover and alfalfa hay, cut and lime should be freely used at the same time.
Do not try to keep geese unless all the conditions are favorable. Geese may be kept at a very small cost, or they may entail a disaster; but if reared properly, and pasture will enable them to secure their food with but little aid.
If the seed is good the cutting of potatoes to pieces with two eyes should give good results. In cutting always endeavor to leave as much of the tuber to the eyes as possible, as it serves as plant food in the early stages of growth.
Some of the garden crops are very hardy and can stand a light frost. Onions, peas, beans and lettuce, if sown in rows early, or as soon as the warmth of the ground permits, will make good growth before some other crops are put in.
Bees do not work as well in a hive exposed to the sun. In midsummer, when hot, all work on the inside, such as comb building and storing honey has to be suspended. Sometimes combs melt down and the brood dies in the heat of the sun.
A grape vine arbor is considered an excellent place for the bee-hive, as it protects against the sun in summer but should be thick enough to serve as a wind-brake in winter. In very cold climates the hive should be placed in the cellar.
Lambs coming in this month are not too late for the early prices if the ewes are lightly fed, so as to provide all the milk required. As soon as lambs are born will eat give them plenty of ground oats and keep them well sheltered from storms and severe cold.
To secure good seed oats fill a large wash-tub two-thirds full of water and add a few drops of kerosene oil. Stir. Skim off all the oats that do not sink to the bottom. Draw off the water and dry the seed, and the chances will be that every seed will sprout.
As soon as your young tomato plants become too thick in the box or in the transplant some of them to cold frames or thin out the plants. If they grow very tall it is no objection, as the tomato is a plant that can be put in deep ground leaving only a small portion of the top above the surface.
The cheapest hog food is said to be peas and sweet potatoes. The potatoes are boiled and pea-meal added. This claim, however, depends on the quality of country and the price of corn. Where sweet potatoes are easily grown, however, there is no food that excels that crop for fattening every class of stock.
A practical apharist, in relation to the matter of rust in wheat, writes: I have frequently observed chips of ceiling distributed all the way through

It equals anything that can be grown on the farm considering the cost of production, as it is a crop easily grown, and entails but little labor in harvesting, curing and storing in the barn.

Their Seventeenth Bull.
The Emmet Monument association will hold its seventeenth annual ball at Cunningham's hall, Monday April 11. The parties of this association have always been select and noted an exceedingly joyous occasion, and it is certain that the coming event will be no exception to this general rule.
Mrs. Sarah Williams died at the residence of her daughter, Mrs. John Kohule, at Indianapolis, Ind., Tuesday, aged eighty-four years.
Merton F. Sturges, aged 23, and living in Omaha, obtained a license yesterday to wed Miss Isa A. Wolfe, 21 years old and resident of Mount Vernon, Iowa.

When a dozen eggs bring nearly as much in the market as a pound of butter—as they do in winter—the farmer who keeps hens and manages them well is ahead of the farm dairyman whose cows are hardly return enough to pay for their keeping.
Even hog cholera is productive of some good. It has led to better care and treatment of the swine. They are not now fed exclusively on corn the entire year, while shelter being provided for the hogs that formerly had the leaky sheds for a covering. Clean water is also given them, instead of filthy slop. The extent to that the disease is gradually diminishing.
When placing eggs under a hen use the thermometer. After the eggs have been in the nest four or five hours lay the thermometer among the eggs under the hen for a few minutes, then quickly withdraw it and look for the record. If less than 103 degrees the hen does not impart sufficient heat. Hens vary in giving heat to the eggs, and some of them cannot hatch out a full brood.
If you wish early green food before the grass crop is ready, especially if cattle are confined, make a small plot very rich with well-rotted manure, and sow marrowfat peas and oats together. Sow the seed thickly, and cut for use at any time when the material is high enough for that purpose. It is excellent for all kinds of stock, and especially for cows and sheep.

Oats are usually sown early for a general crop of seed, but our farmers miss an excellent opportunity in not thickly sowing oats to be cut when in the green stage. Use plenty of manure, and cut the crop just after the heads are formed, or when in the milky stage. It is an excellent substitute for hay, the stalk and heads being all eaten, while in nutrition

SOUTH OMAHA
Beautiful Residence Lots
FOR SALE
Also Business Lots
LOOK
On the large map of Omaha and observe that the two and one-half mile belt from the Omaha postoffice runs south of section 33 and through the north end of South Omaha.
TAKE A STRING
And pencil, then get one of J. M. Wolfe & Co's maps of Omaha and South Omaha combined,
PUT YOUR FINGER
On the string at 13th and Farnam, Omaha's business center, and your pencil on the string at where Bellevue street enters South Omaha from the north.
THEN DRAW
A circle and note where
SOUTH OMAHA
Is, and also that many "Additions," "Places" and "Hills" are far
OUTSIDE
This magic circle.
THEN STOP
And think a minute what will make outside property increase in value?
THE GROWTH OF OMAHA
Is all that will enhance the value of real estate other than at South Omaha. At the latter point we have three important factors to build up and make valuable the property:
First—The growth of Omaha, which has and always will follow the transportation lines.
Second—All the great railroad center there, thus making it the best manufacturing point of any in or near the city,
Third—
THE IMMENSE STOCK YARDS INTERESTS
and **Pork Packing Industry**
Will make a town of themselves.
SEVERAL NEW PACKING HOUSES
Going up this year.
A Gigantic Beef Canning Establishment
To be put into operation at once.
YOU FOOL
Away your day of grace when you do not get an interest in South Omaha before a higher appraisal is made. The best locations are being taken. Make your selections now: Lots that sold for \$300 in 1854 cannot now be bought for \$3,000.
THE VIADUCTS
Over the railway track will make safe and splendid thoroughfares between this city and South Omaha.
A STREET CAR LINE
Will run to the Stock Yards this year. The minute it does lots will double in value, as this will afford quick and cheap transportation either by **Dummy, Cable or Horse Cars.**
For further information, maps, price lists, and descriptive circulars, address,
C. E. MAYNE,
Agent for the South Omaha Land Company
N.W. Cor. 15th and Harnay.

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