## THE CITY.

Bank clearings yesterday \$827,761.63. Sheriff Boyd took John H. Cole, an insane colored man, to the asylum at

Lincoln yesterday. Deputy Marshal Heppinger brought William childers of Cherry county to Omaha and lodged him in the county jail. He is accused of selling liquor to the In-dians at the Rosebud agency. George Karl will succeed to Billy

Shields' desk in the county court room on June I. Billy, as previously men-tioned, succeeds Ed Morearity, who leaves the office entirely to practice law.

Mrs. C. H. Davis of Blair says she has waited a long time for her husband who left her to come to Omaha and now writes to the Omaha police for information as to her lost Charles.

Charles E. Bibbins yesterday pur-chased the lot, 66x132, at the northwest corner of Fifteenth and Cuming streets, from John Riley, the considerations being \$20,000.

+ F. A Strall, the man who a few days ago entered Guckert & McDonald's tailor shop and carried away a bolt of cloth, waived examination yesterday afternoon. In default of bail he went over the hill to await the action of the district court.

A deed transferring 120 lots in Omaha View was filed yesterday, Boggs & Hill being the grantors and Messrs. Frank Muir, Ralph C. Gaylord and Arthur Remington the purchasers. The consid-eration was \$144,250.

#### PERSONAL PARAGRAPHS.

John T. Bell has returned from California C. C. Belden, of Thompson, Belden & Co., left yesterday on a business trip through the

Pierre, South Dakota. The capital contest in South Dskota will from present appearances narrow down to Pierre and Huron, but the former places seems to be the favorite. It is now the temporary capital, and its people have had a very pros-perous year, so that its financial backing is such that on other city in the state can even hope for success against her.

#### ANNOUNCEMENTS.

On Thursday of next week W. S. Cleveland's great minstrel show will appear at Boyd's opera house and will present a bill of unusual excellence, brimming with new and novel features. Willis Sweatman and Billy Rice are the two leaders of this organization, and they will be ably supported by a fine corps of burnt-cork artists. The Japanese acrobats, who created such a favorable im-pression here last season, are still with the Cleveland show, together with several equally strong attractions that have never been seen

Master Blatchford Kavanagh, the wonder-ful boy soprano, from Grace church choir, Chicago, will appear at Boyd's opera house in two concerts on Friday afternoon and evening of next week and will be assisted by Master Dimond, who is but thirteen years of age, and is an accomplished violin and mandolin schoist

Republican City Central Committee. There will be a meeting of the republican city central committee at the Millard hotel this afternoon at 2.30.

D. H. MERCER, Chairman.

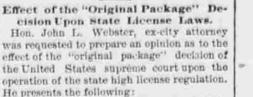
### Open Door in Kountze Place.

Mrs. Clark, who is in charge of the Open Door, says that it has been decided to move the institution to 1503-5 Binney street on June 1. The new quarters consist of a large double residence, much more commodious and better adapted to the needs of the institution.

The pure juice of the grape naturally fermented, that is what Cook's extra dry cham-pagne is. Its boquet is unrivalled.

#### A Gold Loaded Vagrant.

Shearer is a wealthy vagrant who claims to be a railroad man. When arrested, he was sleeping in a box car in the Union Pacific yards and, from all appearance, was used to that kind of a hostelry. The jailer who searched him found in one of his pock-



A STRONG ARGUMENT.

He presents the following: The decision of the supreme court of the United States in what is known as the "original package" case decided, April 28, 1800, can be used as a strong argument against prohibition and in favor of high license, for the following reasons: I. That decision makes it lawful to import liquors into one state from another state, and sell such liquors in the original package. In other words, this decision declares all prohibition laws to be in violation of the constitution of the United States in so far as they are intended to prohibit the sale of liquors in one state in the original package in which they may have been imported from another state, for the reason that such laws are interfering with commerce between the states, this being a subject matter which is left solely to the regulation of congress. 2. Since this decision has been annunced the newspapers contain daily reports of

The newspapers contain duly reports of instances in prohibition states where saloons or stores have been opened up for the sale of imported liquers in their original packages. This practically nullifies prohibition under the nt state of the law.

3. This decision of the supreme court of the United States does not, however, inter-fere with the regulation of the sale of liquor imported, providing such regulation is reasonable and does not amount to a prohibition or confiscation of the imported

article. The supreme court of the United States, in the case of Woodruff vs Parkham, S Wall., 123, illustrates this principle. The city of Mobile passed an erdinance authorizing the collection of a tax for municipal purposes, on "sules at auction and sales of merchandise," etc. Woodruff had consigned him a large etc. Woodruff had consigned him a large amount of goods and merchandise, the pro-duct of states other than Alabama, and sold the same in Missouri, to purchasers, in the original unbroken packages. Woodruff refused to pay the tax to the tax collector on the proposition that he was entitled to sell these goods in their original packages with-out the payment of a tax. Justice Miller, in his opinion, cited a great many cases to show that such a tax was but a regulation, and did not interfere with com-

a regulation, and did not interfere with com-merce between the states, and was, there-fore, not unconstitutional. Among other

hings Justice Miller, in that case said : "The case before us is a simple tax on sales of merchandise, imposed alike on all sales made in Mobile, whether the sale is made by a citizen of Mobile or of another state, and whether the goods sold are the produce of that state or some other. There is no attempt to discriminate injuriously against the pro-ducts of other states, or rights of their citizens, and the case is not therefore, an attempt to fetter commerce among the states or to deprive the citizens of other states of any privilege or immunity possessed by citizens of Alabama." The case of Hinson vs Lott, 8 Wall, 148, is

nactically decisive of this question. In Alabama the legislature in 1866 passed

act as follows: Before it shall be lawful for any dealer or dealers in spirituous liquors to offer any such liquors for sale within the limits of this state, such dealer or dealers introducing any such the tax collector of the county into which such liquors are introduced a tax of 50 ce at per gallon upon bach and every gallon thereof." iquors into the state for sale shall first pay

Hinson, a merchant of Mobile, held five barrels of whisky, consigned to him from the state of Ohio, and five other barrels pur-chased by him in the state of Louisiana, and had brandy and wine imported from abroad, which he had paid a duty to the United tes. He refused to pay the tax, and in-States. States. He refused to pay the tax, and in-sisted that the law was unconstitutional. Justice Miller delivered the opinion of the court, holding that the law was constitu-tional. Among other things he said: "A tax is imposed by the previous sections

of the same act, of 50 cents per gallon on all whiskey and all brandy from fruits manu-A factured in the state. In order to collect this tax, every distiller is compelled to take out a license and make rogular returns of the amount of distilled spirits manufactured by him. On this he pays 50 cents per gallon, so that when we come in the light of these carlier sections of the act, to examine the thirteenth, fourteenth and ifteenth sections, it is found that no greater tax is laid on liquors brought into the state than those manufactured within it. And it is clear that whereas collecting the tax of the distiller was supposed to be the most expedimanufactured within the state, the tax or those who sold liquors brought in from other states was only the complementary provision necessary to make the tax equal on all liquors as we have described, and it institutes no legslation which discriminates against the pro ducts of sister states, but merely subjects them to the same rate of taxation which similar articles pay that are manufactured within the state, we do not see in it an attempt to regulate commerce, but an appropri ate and legitimate exercise of the taxing power of the states." Many familiar illustrations of this rule may Many familiar illustrations of this rule may be given, which will be accepted upon the mere suggestion of them. No one would con-tend that the state of Nebraska could pass a law which would prohibit the merchants of the city of New York from shipping merhan-dise into the state of Nebraska. No citizen of Nebraska would admit the proposition that the state of Iowa could pass a law which would prohibit the Nebraska farmer from shipping his corn through the state of Iowa or into the city of Chicago. The state of Missouri at one time passed a law forbidding the unloading of Texas cattle within that state. The supreme court of the United States (95 U. S., 468), held the law unconstitutional; as it forbid the shipping of all cattle from the state of Texas shipping of all cattle from the state of Texas through the state of Missouri, it was in the nature of prohibition. At the same time laws of various states, which forbid the shipping into such states of diseased cattle, were held to be valid, as they were not a prohibition against the shipments of cattle altogether, but were simply the regulation affecting the unloading or shipment of diseased cattle. All persons having personal property in the city of Omaha are subjected to taxation of such property. Such tax laws are valid as ong as the tax is uniform and reasonable, notwithstanding the fact that the owner of the property may have shipped the same here from another state. Many other illustrations may be found in the books, and will occur to the mind of the casual observer, which makes clear the fact a state may regulate the taxing of property, or license dealers in property so long as such license is a regulation, uniform as to all perlicense is a regulation, uniform as to all per-sons, either within or without the state, and is not a prohibition against imported articles. The conclusion is clear that the state of Nebraska can license the sale of liquor—and that such license will apply to imported liquors as well as to domestic liquors. High license can be enforced. Prohibition is prac-tically out of existence by the decision of the supreme court of the United States.



# SCRIBNER'S MAGAZINE FOR JUNE.

# THIS ARTICLE, which fills more than thirty pages of the magazine, is the first authoritative word from Stapley's own pen upon this, the most import-

ant of all his expeditions. Mr. Stanley reviews some of the chief incidents of his extraordinary journey, the conduct of his officers, the attitude of Emin Pasha, Nelson's starvation camp, slavery in Africa and what can be done to subdue it, etc., etc.

The illustrations are made from Stanley's own photographs and sketches, and consist of eight full-page engravings and many smaller ones, much of the material dealing with a part of the country never before visited by a white man.

#### THE NUMBER ALSO CONTAINS:

THE CITY HOUSE (East and South). By Mr. RUSSELL STURGES, Being number two in the "Homes in City and Country" series. Abundantly illustrated. JERRY. Part I. of an anonymous serial novel of a very exceptional interest, by a new author. BARBIZON AND MILLET. Completing the article begun in the May number. Illustrated. THE RIGHTS OF THE CITIZEN—"As a User of Public Conveyances." (Third of the Series.) By Hon, SETH Low, President of Columbia College.

AMATEUR TRACK AND FIELD ATHLETICS. By CHARLES P. SAWYER. IN THE VALLEY. Serial by HAROLD FREDERIC. Illustrated by HowARD PyLE, ROSAMOND. A dramatic poem by BARRETT WENDELL.

THE POINT OF VIEW.-The Travel Habit.-The Origin of Antipathies.-Treatment for a D fective Sense.-Genius and Ethics.

"The publishers of this Magazine aim at obtaining the best articles, the best illustrations, and the best typographical results, and it is no disparagement to others to say that they achieve what they aim at,"—THE BOSTON HERALD.



Charles Scribner's Sons, - - New York.



Instantly stops the most excruciating pains: never fails to give ease to the sufferer. For PAINS, BRUISES, BACKACHE, CONGESTIONS, INFLAMMATIONS, RHEUMATISM, NEURALGIA, SCIATICA, HEADACHE, TOOTHACHE, or any other PAIN, a few applica-

#### A CURE FOR ALL BOWEL COMPLAINTS.

Internally taken in doses of from thirty to sixty drops in a half tumbler of water will cure in a few minutes Cramp, Sprains, Sour Stomach, Colle, Flatulence, Heartburn, Cholera Morbus, Dysentry Diarrhora, Sick Headache, Nausca, Vomiting, Nervousness, Siceplessness, Malaria, and all internal pains arising from change of diet or water or other causes. Sold by all Druggists. 50 cents a bottle.



as elsewhere all over the world. All that the manufacturers request is simply one trial, or, still better, a comparative test with whatever other cocoa it may be; then VAN English paper Health, says: "Once tried, always used."



The coming week we will give a grand benefit to the soldiers and veterans. We have 500 very fine all wool Flannel Suits, made up in regulation G. A. R. style, with eylet button-holes for changeable buttons? These we offer for this week at \$7.50 for the suit, either single or double breasted coat. We do not advertise the name of this flannel, but we give you our guarantee that it is made by one of the best mills in the country, is strictly all wool and indigo dyed, and we stake our reputation that you will not get a better quality of flannel nor a suit that will give you more satisfaction or better service, if you pay to other houses \$12 for it.

We also place on sale a cheaper grade of Flannel Suits, which we offer at \$3.75. The flannel in this suit is not all wool, but it is indigg dyed. It is lined with good serge, makes a good serviceable suit, and is also made up with eylet button-holes for changeable buttons.

# FOR BOYS.

We are also prepared to dress in blue an army of big and little boys. We offer Long Pant Suits of a good quality of flannel, indigo blue, for boys 11 to 18, at \$4.50 for suit of coat, vest and pants, and Knee Pant Suits, with nicely pleated coats for boys 4 to 14, at \$2.50. For similar suits you have to pay at any other place about \$8.00 and \$5.00.

## SUMMER SHIRTS.

Unequalled choice and values in Outing Shirts of every conceivable style and quality. There is not a house in the city that can show you half the line or name anywhere near the prices we do.

Oxford cloth outing shirts, splendid patterns, woven colors, pleated fronts, at 60c; worth \$1.

Imported flannel shirts, beautiful stripes, \$1.10; worth \$1.78.

Extra fine quality silk striped flannel, pongee silk and finest grade of silk at \$1.75, \$2.25, \$2.50 and \$3. (All our shirts are extra full sizes.)

## SUMMER HATS.

The following items will give some idea of the extraordinary vals ues in an offering in this department.

18 cases fine derbys in shades, chocolate, tan and pearl, at 75c.

10 cases very fine alpines, latest shape, with extra fine silk band of two shades, at 85c.

You could not buy either of the above styles in any hat store for less than \$1.50.





# Grand Lottery of Juarez.

INCORPORATED BY THE STATE OF CHIHUAHUA, MEXICO, FOR CHARITABLE PURPOSES

ets, wrapped in an old tobacco sack, \$270 in gold and \$9.65 in change. In another pocket was a good silver watch and chain. The judge remarked as he fined him \$10 and costs that he was just the man to be robbed with no particular blame attaching to the thief.

The Bishop Clarkson memorial hospital, Omaha, has besides a few free beds for children, a pay ward for women and private rooms for either sex. Patients whose means will only allow of the pay-ment of the hospital bill can receive the services of the attending surgeon free For particulars address the matron.

#### District Court.

Charles C. Spotswood, who is well known in business circles as a dealer in Omaha dirt, has filed a suit in the district court agains the Bank of Commerce, in which he charges he bank with exacting usurious and illegal interest on loans made to him by the bank through one E. H. Corbett, a woman, during the years between September 28, 1887, and June 17, 1889. The petition in the case cites that during the month of September, 1887, he commenced to borrow money from Corbett, with which to carry on his building and real estate business, giving his notes therefor, and frequently giving valuable collateral as security. During this period he frequently took up one or more notes and issued another but at no time was the original indebtedness fully paid. In this way he gave Corbett twenty-nine notes, aggregating in face value about \$27,500, although the actual value was much less, as they represented old notes mostly. It making and giving these notes he charges that Corbett withheld unlawful and usurous interest amounting in the aggregate

to over \$3,000. It is also charged that as soon as the notes were given to Corbett she at once transferred them to the bank, and he also charges that the bank had full knowledge of the usurious

The petition goes on to state that on June 17, 1889, Corbett insisted on a settlement in full, and Spotswood gave her a note for \$3,000 due in six months, secured by the signature of E. R. Spotswood & Son of Lexington, Ky. For this note he received four notes aggre-gating in face value \$2,400, and \$100 in cash, the balance of \$500 be withheld by Corbett as interest. This note was also immediately transferred to the bank. transferred to the bank. . It is further charged that Corbett acted as

ngent for the bank at all times, and the money paid by Corbett to Spotswood was ad-yanced by the bank with a full knowledge of

the use to which it was to be put. Spotswood alleges that the bank has threat-ened to send the note to Levington, Ky., for collection by legal process, but he claims that he paid \$500 to the bank when the note became due and sets up the claim that the note has been paid in full by the illegal and usurious charges of interest made upon the loans and notes which the said \$3,000 note rep-resents. He asked for an order restraining the bank from sending the note to Lexington for collection and also asks for an accounting to determine whether or hot the note in quesion has been fully patd.

The case was presented to Judge Doane, who granted a restraining order and set the case for hearing on Saturday next, the 31st

Edwin Culver has commenced suit in replevin against John C. Read et al to rec possession of four horses, a wagon and har-ness, all of the value of \$500. He seeks to recover the property and \$1,000 damages for its unlawful detention.

#### County Court.

William S. Lyons has commenced suit against George F. Munro to recover \$354.55 alleged to have been collected as agent, but not turned over.

James T. Moriarty has sued Stephen S. Felker for \$500 for legal services.

The First National bank has brought suit against W. N. Parsons as principal and C. M. Dinsmoor as endorser on a note for \$300. 'S. N. Beli was given judgment against A. F. Barche in the sum of \$321.25.

Platt's chlorides is the cheapest disinfect. Int. Its germ-destroying power is wonderful.

Through coaches-Pullman palace sleepers, dining cars, free reclining chair cars to Chicago and intervening points via the great Rock Island route. Tick-et office 1602, Sixteenth and Farnam.



It's superior excellence proven in millions of homes r more than a quarter of a century. It is used by the United States Government. Endorsed by the cads of the Great Universities as the Strongest, used and mics Healthful. UP. Price's Cream Bak-g Powner, does not contain Ammonia, Lime of hum Sauth only in cens.



street, Boston .Mass.