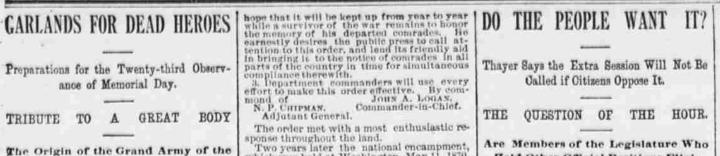
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Republic in Springfield, III.-Early Days of the Organization.

The following is taken from the New York Tribune:

Tribune: For us the budded laughter of the May Is beautiful today Upon the land: but nevermore for them, Our herees gone, the rose upon its stem Unfolds, or the fair IIIy shines to bless Their living eyes with pure loveliness. No song bird at the morn. Greets them with gladness of a day new born. No kiss of child or wife Warms their coid lips again to love and life. Breaking sweet slumbers with as sweet re-lease.

'hey may not awake again! But from the precious soll, Born of the toll, Nursed with what crimson rain, We pluck today the snow-white flowers of

Memorial day-May 30-has become a "redletter" day indeed in the American calendar. More than half the states of the union have made it by law a legal holiday. By common consent thousands upon thousands of loyal people of the land look forward to its observance with a spirit of love, tenderness and thankful appreciation which pertains to none other of the anniversaries they delight to celebrate. The growing esteem in which it is held is a constant tribute to the great organization which instituted and perpetuates itthe Grand Army of the Republic. In no town or city of the country is the day so warmly greted or so generally observed as in the city of New York, for none is so rich in heroes, dead and living, and nowhere is this wonderful fraternity so strong in numbers or more self-reliant and patriotic. In New York and its immedi-ate neighborhood more than fifteen thousand veterans of the war, recognized as members of the Grand army, are preparing for the ceremonial which their ritual prescribes for

Memorial day of the year 1890, the twenty-third occasion of its observance. Less than a quarter of a century has passed since this giant society sprang into existence. It numbers today with its thirty-eight departments, each covering a state or territory, nearly half a million of men. Of its young-est members few have not passed the age which renders them by law no longer eligi-ble for military service, while many of its seniors had exceeded the limit when the war

of the rebellion opened. It was fitting and most appropriate that the It was fitting and most appropriate that the Grand Army of the Republic should have its birthplace in the same city which was for so many years the home of the "martyr presi-dent," and that the bones of the "savior of his country" and those of the founder of an organization made up of Lincoln's "boys in blue" should repose in hallowed places not far from the banks of the Sangamon.

ORIGIN OF THE GREAT ORDER.

It was in Springfield, Ill., early in the year 1866, that Mayor Benjamin Franklin Ste-phenson, who had faithfully served during the war as surgeon of the Fourteenth Illinois regiment, conceived the idea of an organiza-tion which might cement in civil life the friendships formed amid the hardships and perils of the war. But he had a purpose be yond more fratornity. He believed that there yond mere fraternity. He believed that there was need of such an organization to secure legislation for the care and education of the orphans of dead comrades, to provide for their widows and children, to build homes for homeless veterans upon whom the hand of adversity had heavily fallen, and to ald the disabled and destitute in their advancing years and increasing infimities. Thus did this far-seeing soldier attempt to remove from the nation the shame of permitting men from the nation the shame of permitting men who saved its life to live, die and be buried as paupers in the land they helped to save, and to comfort and relieve the necessities of

those dependent upon them. On April 6, 1866, Major Stephenson, acting as provisional department commander of Illis, mustered in twelve companies as post No. 1, at Decatur, in that state. The ritual was an imperfect one, viewed in the light of today, but the organization spread rapidly in the west, and 1866, Dr. Stephenson, as provisional com-mander-in-chief, called the first national encampment, which met in the city of Indianapolis on November 20 of the same ar. Before this an Illinois State Encamp int had been held, at which General John year. M. Palmer, Dr. Stephenson's old colonel of the 14th Illinois, was elected Department Commander. At the first national encamp ment representatives from the States of Illi-nois, Indiana, Missouri, Kansas, Wisconsin, New York, Pennsylvania, Ohio, Iowa, Kentucky and the District of Columbia were present. Indiana's great war governor adpresent. Indiana's great war governor ad-dressed the convention and predicted for the organization a glorious success. The election of a commander-in-chief resulted in the choice of General S. A. Hurlbut, of Illinois, and he was the first to hold this post of honor. During the year 1867 great progress was rade in the work of organization. Posts were formed in all the cities and towns of importance and "Departments" were set up in the various states. The second national encampment met in Philadelphia on January 15, 1868. The order had gained amazing strength in the meantime, and gamed amazing strength in the meantime, and the coster showed the existence of 2,500 posts, with a membership believed to exceed 250,000 of the best men of the war. General John A. Logan was elected commander-in-chief, and to the gallant and typical volunteer soldier belongs the honor of issuing the first order for the observance of Memorial Day. To whom the credit should be given of originally suggesting the beautiful ceremony of decorating the graves of dead comrades is not fully settled. It is thought, however, that the first suggestion came from a former private of the army, who addressed a letter on the subject to Colonel N. P. Chipman, General Logan's adjutant-general. The letter came from Cincinnati, and the writer, a native of Germany, spoke of a custom prevailing in the Fatherland of assembling in the spring time and scattering Assembling in the spring time and scattering flowers upon the graves of the dead. He ad-vised that the Graud Army inaugurate such an observance in memory of their dead. It is much to be regretted that Adjutant General Chipman failed to preserve the letter, and was unable to remember the writer's name.

sponse throughout the land. Two years later the national encampment, which was held at Washington, May 11, 1870, adopted the following as a part of the rules and regulations, and made the celebration of the day perpetual:

the day perpetual: The national encampment hereby estab-lishes a memorial day, to be observed by the members of the Grand Army of the Republic, on the 30th day of May annually. In commem-oration of the deeds of our fallen comrades. When such day occurs on Sunday, the suc-ceeding day shall be observed, except where, by legal enactment, the preceding day ismade a legal holiday, when such day shall be ob-served.

One of the first declarations of principles which the Grand Army of the Republic put forth was that it was "organized to maintain in civil life those grand principles for which it stood in arms under the national flag; that it stands pledged to crush out active treason, to advance and support loyalty, to secure sound constitutional liberty to all men, and to vindicate everywhere and at all times the full and complete rights of every loval American citizen against all combinations of force and fraud that may attempt to deny or deprive them of such rights."

ALMOST WRECKED AT THE START. These principles were certainly sound and in themseives unobjectionable, but during the exciting campaign preceding the presidential election of 1868, when General Grant was first chosen chief magistrate, partisanship within the grand army impetuous young men within the grand army argued that under the declaration quoted, no soldier of the war could conscientiously oppose the republican candidate. The result was the widespread dissemination of a belief that the grand army was organized wholly on political lines and that its aims were mainly political. The con-sequences were deplorable to the organiza-tion, and the result was that when the heat of the presidential campaign died away, it began to disintegrate even more rapidly then it had formed. Many predicted its utter extinction. An additional cause at this time of dissatisfaction was a change in the ritual, creating three grades of membership, the recruit, the soldier and the voteran, with signs, grips and passwords in each degree. A "recruit" of two month could be advanced to the grade of two month could be advanced to the grade of "soldier," and the "soldier" at the end of six months could become a "veteran." But the change was excessively distasteful to men who had entered upon actual service through the simple process of a muster-in, and who had been made not imaginary but real veterans by three or four years of hard fighting at the front. The ranks were depleted so rapidly that the membership of a quarter of a million fell in a short time to less than one-tenth that fell in a short time to less than one-tenth that Years of depression followed, but number. Years of depression followed, but when the national encampment met in May, 1871, it most sensibly struck from its consti-tution all reference to grades, and also in-serted the following, which eliminated poli-tics forever from the organization :

No officer or comrade of the Grand Army of the Republic shall in any manner use this or-ganization for partisan purposes, and no dis-cussion of partisan questions shall be permit-ted at any of its meetings; nor shall any nom-ination for political office be made.—Article xi, chapter 5, Rules and Regulations.

xI. chapter 5, Rules and Regulations. From the day this regulation was placed on the Grand Army statute books, the body has steadily grown in numbers, influence and power for good. Its progress at first was slow, for it regained the ground and the con-fidence it had lost with difficulty. For sev-eral years, however, the accessions did not exceed the losses, but by 1879 the Grand Army began perceptibly to recover from its early mistakes, and its roster showed the en-rolment of 44,802 men. At the national enrolment of 44,802 men. At the national en-campment of the following year 60,678 names of members in good standing stood upon its

ON THE UP GRADE AGAIN.

report of the adjutant general made March 31, 1882, showed that the number had risen to 89,934, a net increase during the previous year of 29,256. Hence-forth the growth of the society was phenomenal. The report of March 31, 1883, exhibited a total membership of 145,382. and the then enormous increase of 55,090 to the rolls. A year later, March 31, 1884, the adjutant general reported 233,595 veterans in he organization, or the surprising addition of

With the increase of numbers came also the additional ability to aid destitute com-rades and their families, and during that year the records show that \$154,000 was expended for relief. Every post possessed a relief fund, and the necessities of its members were looked after without appeal or even knowl-edge of the public. Each subsequent year has shown a corresponding increase of memhas shown a corresponding increase of incin-bership and fiscal ability. On March 31, 1885, the muster roll showed the presence in the Grand Army of 239,684 men, a net gain over all loses by death, sus-pension, etc., of 67,567, while the amount expended for relief during the year exceeded \$170,000. The number of persons relieved was 15,406. The next report, dated March 31, Was 13,406. The next report, dated March 31, 1886, showed a membership of 206,337 veter-ans. The relief fund had then reached \$205,000, while that of the posts themselves aggregated \$301,012, footing up members and a member in charity. Since over half a million dollars in charity. Since then the relief expenditures have yearly ex-ceeded this handsome sum. In 1887 the rolls of the Grand Army bore the names of 320,646 men in good standing and the following year they had grown to in clude 354,216 veterans, in spite of a death list of 3,403. The mortuary tables have since been constantly increased, making it certain that they will soon begin to pull down the grand total of membership. In 1888 the ad-jutant general reported on the rolls in good standing 334,216, and last year it stood at the magnificent figure of 395,245. Today the Grand Army of the Republic has in active existence not less than 6,450 nosts and carries on its muster-rolls about posts, and carries on its muster-rols about 410,000 honorably discharged veterans of the war. Since 1s71, when the organization started out upon its present basis, it has given not less than \$2,000,000 to charity.

Are Members of the Legislature Who Hold Other Official Positions Eligible for the Special Session.

LINCOLN, Neb., May 28 .- [Special to THE BRE.]-In conversation with the Lincoln correspondent of THE BEE today Governor Thayer declared that if the people did not want the extra session of the legislature they need not have it. The reason he called it was because he supposed the people wished it. If the citizens of the state do not wish the session, he said, they have it in their hands to prevent it by simply expressing themselves as opposed to it. The governor would not further express himself.

The governor says that thus far only one of the members of the legislature now holding other public positions has yet handed in his resignation. This one was received yesterday and was from Benjamin S. Baker, now United States district attorney.

THE BURNING QUESTION. The burning question of the hour is conerning the right of legislators elected to other public positions being entitled to hold their seats in the special session called to neet June 5. On this point Attorney General Leese expressed his opinion this evening. The case in point was that of Senator John Kern, who is at present county treasurer of Dodge county. Attorney General Leese nys The question is one for the legislature to

determine. Section 7, article 3, provides that each house shall be judge of the election returns and of the qualifications of its members. No one has the right to question Kern's elig-ibility but the senate itself, and while the authorities are not in harmony on the question the weight of evidence seems to be that where the constitution uses the words "public officer" and "holding a lucrative office under the authority of this state," they apply only to such officers as are mentioned in the constitution or such as receive a fixed salary pavable out of the public treasury of the state. I am of the opinion that Kerns should hold his seat as senator until the senate holds other-

According to this decision Mayor Cushing, County Treasurer Snyder and County Com-missioner Berlin of Omaha are still members of the legislature unless that body holds otherwise. CORN GRADING.

Mr. A. G. Scott of Kearney writes to Governor Thayer concerning the statement of a writer signing himself "Nebraskan" in a local paper, in which the latter claims that there is no reason for a change in the system of grain inspection for corn and affirms as a reason that 90 per cent of the corn crop of 1889 for six months has graded 2 at seaboard markets, three-fourths of the same coming off the ground.

Mr. Scott says: "I have with much care examined the daily market reports of Chicago, the largest corn market in the world. From No-yember 27 to May 19 for one day in each week I find the receipts of corn at Chicago on the days mentioned was 9,858 cars; number of cars that inspected No. 2, 3,255; number of cars that inspected No. 3 or less, 6,993. This tabulation shows that less than one-third of the receipts at Chicago inspected No. 2, leav-ing a difference of 5,618 cars less than the statement of the writer. If this number of cars was inspected No. 3 or less in Chicago and No. 2 at seaboard markets, the producer has lost not less than 2 cents per bushel and perhaps more, equal to a loss of \$56,180 for one day of each week. Is it not time for some

one to advocate a radical reform in inspection at central markets, or the placing of inspection under government control (* A FEMALE THIEF CAPTURED.

Rosa Beasley, the young servant girl who robbed Mrs. Glover, her employer, of nearly 8600 worth of valuables about two months ago and then fled, has finally been captured at St. Joe by Detective Pound of the police

force of this city. Rosa accompanied Detective Pound with-out the formality of a requisition and arrived in Lincoln late fast night. She is only thirteen years old.

ceived one-third of the value of the assets of the firm. the firm. They allege that at the time of the dissolu-tion Davis acknowledged that he had misap-propriated a sum unknown, but which he said did not exceed \$500, and that if they dis-covered at any time that more than that amount was due, he would make said short-age good. They ask the court to compel Davis to show how much he put into the com-pany, and how much he is yet indected by reason of the facts allegied above. MEETING OF CITT COUNCIL.

At the meeting of the city council last even-ing it was decided to construct a sewer for the drainage of A and B streets between Eighth and Thirteenth. The city engineer makes the maximum estimate for the con-

The width of roadways on Eighteenth street from J to O, and on L street from Six-teenth to Twenty-first was ordered narrowed to forty feet, the owners of property abutting on these streets to have the benefit of the land discarded.

The mayor was authorized to borrow \$25,000 on the credit of the city, the amount to be placed in the water fund for the purpose of making required improvements and exten-sions of water mains. Paving district No. 15 was ordered paved,

and the board of public works ordered to ad vertise for bids for the paying of the same with brick. As the majority of the residents in district No. 14 have decided to have cedar block pavement the board of public works was ordered to advertise for that material. An ordinance was passed calling for a special election June 20 for the purpose of voting \$100,000 bonds for intersection paving. It was decided to call a special election also to vote \$20,000 for sanitary sewer extension

HOD CARRIERS WANT NINE HOURS. An open meeting of the hod carriers of the city was held this evening at Union Labor hall. The call issued was for all union and num. The chill issued was for all union and non-union hod carriers to meet and devise the best means of putting into effect the nine-hour system. The president of the union thus voices the sectiment of his fellows: "It is time for the hod carriers to have shorter days for work. The laborers are the pro ducers of all wealth and should have more of its enjoyments. We must fight our own bat tle, as no one else will do so for us." En-thusiastic speeches endorsing this sentiment were made and a resolution passed endorsing the nine-hour day.

SUPREME COURT PROCEEDINGS.

The following were the proceedings in the supreme court today: Plattsmouth vs Boeck, motion to dismiss overruled; state ex rel Jenkins vs state board of conalization, order sources as the second of equalization, order as to filing briefs; state ex rel. Lancaster county vs Chicago, Burlington and Quincy railroad company, Thomas Darnell appointed referee to take testimony and report findings of fact. The following cases were argued and sub-

mitted: Chicago, Burlington and Quincy railroad company vs Barnard; Killer vs Amos; state ex rel Millne vs Cashman; Lewis P, Reynolds vs Dielz.

The following new cases were filed: Owen W. Butts vs George W. Hunter and others, appeal from Hall; Phenix Insurance company of Brooklyn vs Swartkowski, error from Howard county. The following opinions were

Tyler vs Baxter, Error from Antelope county, Reversed and remanded. Opinion by Justice Maxwell.

State vs Nebraska distilling company. Original case. Injunction continued. Opinion by Justice Maxwell.

1. Corporations can be organized under the laws of this state for a lawful purpose only. Unlawful acts of a corporation are not limited to those which are mala prohibito and malum in se, but include powers which the corpora-tion is not authorized to exercise and contracts which they are not empowered to make.

2. A contract in total restraint of trade in the state and which tends to prevent compe-tition in an article of commerce and create a monopoly therein is null and void, and a like rule applies to a conveyance executed for a like use, a lawful purpose is therefore ultra vires

3. The court having jurisdiction a party cannot, while the action is pending, dispose of the property and prevent a final judgment in the case

4. The franchise of a corporation being an-4. The franchise of a corporation being an-nulled the question of the rights of property and of an intervenor therein will not be de-termined until all claimants can be heard. Clark vs Williams Error from Douglas Clark vs Williams Error from Douglas ounty. Reserved and remanded. Opinior by Justice Maxwell. 1. In an action for the removal of earth at

20 cents per cubic yard one S. testified that he had cross-sectioned the work before the grading was done and in substance that the acasurements were accurate. A. M. H. then estified that he and S. had made estimates



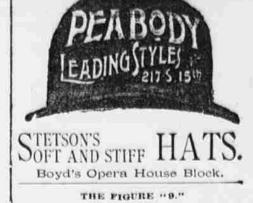
"I was wounded in the leg at the battle of Stone River, Dec. 31st, 1362. My blood was pois-oned from the effects of the wound, and the leg swelled to double its natural size, and remained so for many years. The poison extended to my whole system, and I suffered a thousand deaths. Nothing did me any good until I took Swift's Specific, which took the poison out of my blood and enabled me to feel myself a man again. S.S.S. Is the remedy for blood poison." JOHN CONWAY, London, Ohio.

"For thirty years I was afflicted with blood poison, from which I suffered untold agonies. I menced taking S. S. S., and after using five bottles, I am entirely curvel." WILLIAM SCHENK, Flushing, L. L

** I suffered for twenty years from blood poisoning. Three bottles of Swift's Specific (S. S. S.), cured me entirely." CATHERINE MOSHER, Mineola, L. I.

 ** "For about eight years I was afflicted with a running sore on my leg that gave me a great deal of pain and no end of trouble and inconvenience. I was troated by the leading physicians of this section, but without receiving any benefit, the sore growing gradually worse. Last summer I concluded to try Swift's Specific (S. S. S.), and the result was that in a short time my leg was sound and well. There has been no sign of a return since. J. W. BRANAMAN, Greenville, Texas.
> Treatise on Blood and Skin Diseases mailed free. SWIFT SPECIFIC CO., Atlanta, Ga. (Copyrighted by S. S. S. Co)





The figure 9 in our dates will make a long stay, No man or woman now living will ever date a document without using the figure 9. It stands in the third place in 1800, where it will remain ten years and then move up to second place in 1900, where it will rest for one hundred years.

There is another "9" which has also come to stay. It is unlike the figure 9 in our dates in the respect that it has already moved up to first place, where It will permanently remain. It is called the "No. 9" High Arm Wheeler & Wilson Sewing Machine. The "No. 9" was endorsed for first place by the experts of Europe at the Paris Exposition of 1880, where, after a severe contest with the leading machines of the world, it was awarded the only Grand Prize given to family sewing machines, all others on exhibit having received lower awards of gold medals, etc. The French Government also recognized its superiority by the decoration of Mr. Nathaniel Wheeler, President of the company, with the Cross of the Legion of Honor.

'The "No. 9" is not an old machine improved eron, but is an entirely new machine, and the Grand Prize at Parts was awarded it as the grand-est advance in sewing machine mechanism of the age. These who buy it can rest assured, there fore, of having the very latest and best.



LINEN STORE. Every particular housekeeper wants nice inen,—she must and will have it. We are prepared to send samples to the adies of Omaha, from which they can make

hadies of Omatia, from which they can make their selections. We deal exclusively in Linens, and carry only the choicest importations direct from the manafacturer. You save the middle profit. Purchasers have the benefit of IRLIABLETY of goods, and the lowest prices consistent with high quality. Write us for information.

1309

THE FIRST MEMORIAL DAY.

Generel Logan, however, warmly approved of the suggestion and issued this now famous general order:

Genered Logan, however, warmly approved of the suggestion and issued this now famous general order: IEADQUARTERS GRAND ARMY OF THE Revented. Washington, D. C., May 5, 189. 1. The wish day of May, 1805, is designated for the purpose of strewing with flowers or who died in defense of their country during the hate rebellion, and whose bodies now lie in almost every eff. village and hamlet church-yard in the land. In this observance no form of ceremony is prescribed, but posts and com-rades will in their own way arrange such fit-ting services and testimonials of respect as incomstances may permit. We are organized, contrades, as our regula-tions tell us. for the purpose, among other things: of preserving and strengthening those under the soliders, saliders and marines who indent fasternal feedings which have bound of the suppress the late rebellion." What of the reveal of the result than by derisbing tenderly the memory of our herolo-tions tyring in arms. We should guard their of the suppress the terming the solider in the conding and going of reversation shall do the there adornment and security is but a difting tribute to the memory of the shall on an iting tribute to the memory of the shall of an outer hand when the full and on the shall sho on the present or to the combing remerations the difting the share of springtime, it is the provide the share for the shall be been the outer the share for the remain to us. The ther sever gro

left among us a sacred charge upon a m's gratitude-the soldier's and sallor's w and orphan.

2. It is the purpose of the commander-in-phief to inaugurate this observance with the

A Peculiar Medicine.

Apply to a cut, bruise or burn, Chamber-lain's Pain Balm and it will produce a sooth-ing and pleasant effect. But saturate a piece of flannel with it, and bind it on to a sprained ankle, a sore throat, or a bad case of rheumatism or neuralgia, and it will abnost blister, will promptly relieve the pain and soreness and effect a permanent cure in less time than any other remedy. Lame back is one of the diseases for which it is peculiarly adapted and when used as directed always elicits the generous praise of those who use it. All druggists sell it at 50 cents per bottle.

All Girls Should Row.

Young women should conquer the timidity that they feel the moment they set foot in a row boat, says the Ladies' Home Journal. A young man of the right sort has no patience with the want of confidence women have in themselves and in his care for them. Bear in mind, courage is a quality not to be despised, and can be worn becomingly by any girl. It will come to you and perchance has, as it does to all women in some time of great emergency, and yet you are here afraid of that which an Ida Lewis has mastered when at its worst, and which, if once understood, would give you pleasure and greater bodily strength. Some good oarsman will show you how to sit in a boat and how to row with one oar and then with two. He will teach you the strokes and other matters necessary to be acquired. Enjoy your rowing as you would your bath or your breakfast, be-cause it is good for the body and helps, as does all physical exercise, to prolong life. Swimming, girls take to even bet-ter than boys, and are much more graceful; and every girl should, if possible, understand this most useful of pastimes,

California Cat-R-Cure.

The only guaranteed cure for catarrh, cold in the head, hay force, rose cold, catarrhal keafness and sore eyes. Restore the sense of taste and unpleasant breath, resulting from taste and unpleasant breath, resulting from catarrh. Easy and pleasant to see. Follow directions and a cure is warranted by all druggists. Send for circular to ABIETINE MEDICAL COMPANY, Oroville, Cal. Six months' treatment for \$1: seut by mail, \$1.10. Sold by Goodman Drug Ca.

A STATE MUSEUM. Ex-Governor R. W. Furnas, secretary of the state board of agriculture, is making preparations for placing a library and exten-sive museum of Nebraska products in a suite of three rooms in the east wing of the capitol building. The museum will occupy two rooms and will contain specimens of the various products of the state, both agricultural and mineral. The space in the rooms will be enwith also place in the young with be ended itrely occupied with large glass show cases with alses between them. In each case will be fifty large jurs containing the specimen products and information concerning the same pasted on the jurs. The glassware is being especially made for this purpose in Philadelphia. Ex-Governor Furnas will place his own

private collection in the museum, which is the result of thirty-six years' work and study and which is pronounced by high authorities as the best private collection in the country. Mr. Furnus will probably bequeath this colection to the state at his death. It has aleady been taken to the state house, and as soon as the glass cases and jars arrive the products will be made ready for permanent exhibition. Additions will be made from time to time. NEW FAIR ASSOCIATION.

A fair association has been organized in Custer county which will give its annual ex-hibits at Callaway. The organization is to be known as the Callaway Agricultural Fair association. The capital stock is \$4,000. The incorporators are C. C. Woodruff, F. E. Vanantwerp, David Sprouse, S. C. Waldron, J. D. Trayer, S. H. Yoder, G. A. Hoover, N. M. Jones, B. Harper, Arthur Bird, C. M. M. Jones, B. Harper, Archier Bird, C. M. Britton, H. H. Andrews, W. Holway, James M. Henry, J. Woods Smith, W. J. Coons, H. B. Schnerwiger, Edwin Bird, George S. Smith, M. Conley, N. M. Morgan, J. H. Dacker, L. Michael, L. W. Cormire. Articles of incorporation of the Bank of Orleans, Neb., have been filed. The capital stock is \$20,000 and the incorporators are George H. Green, Walter H. Green and Edgar L. Means. AN ALLIANCE MILL.

Seven men at Madrid, Neb., have formed a ouring mill organization, to be known as the Farmers' alliance milling company of Madrid, and this morning filed articles of incorporation with the secretary of state. The capita Stock is \$15,000. The incorporators are J. M. Sheridan, J. Kegras, Robert S. Carothers, William Tatum, F. L. Gloss, Fred Gildner. BOTH CLAIM THE PAPERS.

Some weeks since J. J. Imhoff filed a petition in the district court asking judgment against Attorney Thomas Ryan, claiming that the latter had \$1,530 worth of notes belonging day Ryan filed his answer, in which he admits he refused to turn over the notes, claim-ing that they belong to himself. He further declares that in September, 1887, he entered into an agreement with Imboff to the effect that if by the October of the following year he paid \$2,500 to that gentleman the latter should release all claim to the notes. He paid the money, but Imhoff refuses to release the notes. He says also that the notes were sim ply given imhoff as collateral security for certain notes and mortgages on property, and Imhoff has long since released the lots which were covered by the mortgages. He asks the court to decree the notes as his.

JOHN S. DAVIS CHARGED WITH FRAUD.

JOHN S. DAVIS CHARGED WITH FRAUD. Wallingford & Schamp have filed a very sensational petition in the district court against their late partner, John J. Davis, a well known resident of Lincoln. They set forth that in June, 1885, the firm of Walling-ford & Schamp entered into an agreement with Davis, forming a copartnership, the firm to put in their assets, etc., at \$57,445.74, as a two third share, Davis to furnish \$3,700 in money. They assert that Davis had charge of the books during the continuance of the partnership, and entered upon them as paid in the amount of money he was to put hto

partnership, and entered upon them as paid in the amount of money he was to put hito the business. They say that they believed he had done this, but allege the fact to be that he had made false and fraudulent en-trics in said books and appropriated \$1,200 of the amount to his own use and benefit. They further allege that Davis made other false entries to an unknown amount, and that he has taken and used for himself an amount which they believe exceeds \$3,500. The firm was dissolved January 12, 1885, and Davis re-

from the data furnished by S. and from such had been removed. Held. That the evidence of H. was properly received. 2. Where the engineers of the city hav

cross-sectioned certain grading to be done for the city, made estimates thereof and filed the same in the engineer's department such estimates are admissable as prima facie evidenc mates are admissible as prima facto evidence of the correctness of such estimates. Roberts vs Patterson. Error from Boone county. Reserved and remanded. Opinion by Justice Norval. McCord, Brady & Co. vs Neil et al. Appeal

from Douglas county. Dismissed. Op by Justice Maxwell.

1. During the hearing for the appointment of a receiver the court permitted the plaintiff to file an amended petition to which the de-fendants objected, but did not ask leave to file amended answers thereto, and it agreed that the original answers should apply to the amended petition. Held. That the power to grant amendments in furtherance o ustice could be exercised by the court in such hearing, a reasonable opportunity being given to the adverse party to plead to the same, and that therefore there was no abuse of discre

2. The appointment of receiver to take charge of property pendente lite is an inter-locutory order and no appeal therefrom can be taken until after final judgmen t.

CITY NOTES. Mr. E. J. Ernst has resigned his position as secretary of the real estate exchange and J J. Gillilan has been appointed as his suc cessor, Hercafter the exchange will meet but once a week until September. The meetings until that time will be at 4 p. m. Wednes days

An agent of Frank Leslie's Weekly is in the All agents of Frangements to publish a sup-plement showing the attractions of Lincoln. Herpolsheimer & Co. filed their answer today to the petition of J. J. Imhoff to recover \$35,400 for alleged breach of contract in re-gard to their occupying the exposition build-ing and for certain alterations plaintiff (claims ing and for certain alterations plaintiff claims he made at their request. They put in counter claim for \$47,500 damages.

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