CORRESPONDENCE

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The Bee Publishing Company, Proprietors, The Bee B'ld'g, Farnam and Seventeenth Sts

FWORN STATEMENT OF CIRCULATION County of Dourias | 85
County of Dourias | 65
George B. Tzschuck, secretary of The Bee
Publishing company, does solemnly swear
that the uctual disculation of The Daily Bee
for the week ending Nov. 8, 1890, was as fol-Sunday. Nov. 2......23,105

Monday, Nov. 3.
Tuesday, Nov. 4.
Wednesday, Nov. 5.
Thursday, Nov. 6.
Friday, Nov. 7.
Faturday, Nov. 8.

Fworn to before me and subscribed in my presence this Sthday of November, A. D., 1800, 18EAL. 1 N. P. FEIL, Notary Public State of Nebraska, County of Douglas, ss. County of Pouglas, [88]
George R. Tzschuck, being duly sworn, deposes and says that he is secretary of The Bee Publishing Company, that the actual average daily circulation of THE DAILY BEE for the month of November, 1890, was 19,300 copies; for December, 1890, 20,948 copies; for January, 1890, 19,550 copies; for February, 1890, 19,-561 copies; for March. 1800, 20,815 copies; for April, 1890, 20,564 copies; for May, 1890, 20,180 copies; for June, 1890, 20,201 copies; for June, 1890, 20,201 copies; for June, 1890, 20,201 copies; for Sentember, 1890, 20,570 copies; for October, 1890, 20,762 copies, George R. Tzschuck, Sworn to before me, and subscribed in my presence, this ist day of November, A. D., 1890, N. P., Fett.

MR. BLAINE is still a man of considerable popularity.

THERE are several loose joints in the management of the county jail.

THE twenty-eighters are again actively scheming to tighten their grip on the city treasury.

This is an off year for Church Howe. This fall he is and next winter he will be an anti-monopolist.

BOULANGER has left the Isle of Jersey for some unknown destination, but it is not believed that it is the throne of France.

RAINBOW BRICE is again projected into the presidential arena as a possibility of 1892. His fool friends forget that the senate is the graveyard of presidential aspirants.

WE shall presently have to pay some attention to city affairs again. One half of the city council will vacate next December, or, rather most of them ought to be made to vacate.

WHATEVER changes may be necessary in our charter should be discussed before the legislature convenes, so the delegation may know just what the citizens and taxpayers want and do not

THE Douglas county independents are opposed to a contest. But the Douglas county contingent does not bask in the friendship of the Burrows, the Craddocks and other beneficiaries of the star chamber party.

THERE is said to be a man in Lincoln who is about to insist that the votes on prohibition be recounted. If he demands only the recount of votes cast for prohibition it can be done at little expense of time and money.

THE gentlemen who are insisting that Robert E. Pattison can easily be elected president in 1892 should remember that he will probably not be pitted agaist either M. S. Quay or G. W. Delemater on that occasion.

OMAHA modestly refrains from boasting of her advantages as a health resort, but as a matter of current interest her vital statistics place her conspicuously in the lead of the so called "sanitariums" of the Rocky mountains.

THE park commissioners should formulate such amendments to our present law as will enable them to give us something more than a few grass plots and posy gardens. We want parks and boulevards that are commensurate with a metropolitan city.

ROBERT LINCOLN has laid the ashes of his son, Abraham, by the side of the boy's grandfather in the tomb at Springfield. The American people will very generally share with the bereaved father the sadness with which he comes home upon this errand.

THE declaration of the sod-house statesman, "I am not a democrat," necessitates a revision of congressional tables, and raises the alliance strength in the next congress from seven to eight members. The record must be straight, though the heavens fall.

"WHY not Springer for speaker?" hysterically shricks the down town double-ender. Any one of twenty reasons will do. The "Bounding Springer," as he is familiarly dubbed, lacks two important qualifications of a speakerbrains and balance. He talks too much and thinks too little. He is too much on his feet and too little in his study. Either McMillen or Bynum is more forceful. Mr. Springer has one qualification which Mr. Bryan considers supreme and which was doubtless the inspiration of this feeble call for his elevation. He has been for years Mr. Bryan's Illinois congressman. But even this is not a conclusive reason for his selection to succeed Tom Reed. In times of excitement, when his associates, like Breckinridge and Crisp and Mills, are nervy, Springer is only nervous. In a hard fight, where gallantry is wanted, he is only persistently garrulous. Unlike Carlisle he is not great in council. the equipoise of Crisp.

Our esteemed double-barrelled contemporary expresses the hope that W. J. Bryan "may be so fortunate as to be named a member of the ways and means committee of the next house," in which it predicts that "he will win national fame and a statesman's standing." Young Mr. Bryan is about as likely to be chosen to succeed Tom Reed as to be selected to occupy a chair around the table of the greatest and most important committee of the house. The house of representatives will contain nearly a hundred and fifty democrats with prior claims to such recognition-claims based on long congressional service, legislative schooling, political prominence in party councils or home celebrity due to energetic labor for democracy in the past. Even if it had not been the custom to select for such vacancies as might occur on the ways and means committee the most distinguished congressmen best fitted for its arduous duties, young Mr. Bryan's total lack of general knowledge of legislative procedure and his especial ignorance of the details of framing the most intricate piece of legislation which comes before congress would preclude the possibility of his appointment.

Long service in the house has been by invariable rule the prerequisite to choice on the ways and means committee. Of the five democratic members of the committee as organized at the opening of the present congress, Mr. Mills had been elected to nine successive congresses, Mr. Carlisle to seven, Mr. McMillen to six, Mr. Breckinridge to three and Mr. Flower to two. In the Fiftieth congress. when the democrats were in control, the same rule obtained as it has for twenty years. In the Fifty-second congress it is probable that the committee will contin eight democrats and five republicans. Of the eight democrats the five now upon the committee will certainly be tendered, according to custom, their old places. This would leave three seats to be filled from the more than two hundred and odd democrats and alliance men who will be clamoring for recognition. Mr. Bryan is very likely to find himself lost in the shuffle. It would be well for the congressman

elect from the First district in the interval which will elapse before he takes his seat to study modesty of anticipation. Congress is a very large body. It contains at every session scores of new members whose delighted constituents consider them the peer of the ablest statesmen who have ever entranced listening galleries. The number of new congressmen who achieve even the distinction of a newspaper paragraph during their first term is not large. Those who astonish the country by their brilliancy is even small. vice alone brings opportunity and the new members find at the close of a session that the most difficult thing to attract in Washington is the eye of the speaker and next to that the ear of the house. Mr. Bryan is not likely to have an experience greatly different from his predecessors. The ability to talk is not very highly prized on the floor of the house. It is too commonand there are too many talkers. The ability to command respect through natural talents ripened by legislative experience and matured through arduous study of national problems is still more rare. For this Mc. Bryan should strive. Hisfriends, who are just now filling his ears with predictions of the impossible in the immediate future, will do him good service if they point him to the only sure road to reach the goals of home efficiency and national celebrity. All talk of his selection as a member of the greatest of the house committees is the veriest bosh. Just at present Mr. Bryan is incidentally prominent owing to thirteen thousand votes cast for Allen Root. He will be among far different surroundings when the Fifty-second congress begins its struggle with the question of organization and its speaker is wrestling with the problem of filling the committees. When the menagerie has quieted down and the animals have been fed, young Mr. Bryan is likely to find himself like the majority of his new associates-satisfied with places on two small committees of neither of which he will be chairman And when the session closes he may well

five minute speeches in the pages of the expanded and illusive Record.

feel himself lucky if after many des-

perate efforts to make the greatest effort

of his life he has obtained leave to print

the elongated remainder of a couple of

OUR GROWING SUGAR INDUSTRY. The manufacture of beet sugar is an established industry in Nebraska. There could be no better evidence of the success of the Grand Island experiment than the announcement, contained in yesterday's BEE, that the owners had agreed to begin at once upon the erection of still larger works at Norfolk, to be in complete operation by October 1, 1891.

This is an occasion for hearty congratutation to the people of Norfolk, who have won their prize in competition with every enterprising city in Nebraska. But it is of still more significance to the state as a whole, because it proclaims the fact that here in Nebraska experts have discovered and capitalists have approved the best soil and climate in the United States for the culture of the sugar beet. This means much to all classes of our population. It will stimulate business both in town and country, will attract people of capital and will make this the most promising of the agricultural states. A splendid outgrowth of new and profitable industries may be expected to come naturally from the successful establishment of sugar factories and refineries.

When it is known that the experiments in Nebraska have been so success ful as to command the full confidence of the sugar manufacturers, and that six hundred factories as large as that at Grand Island would be required to supply the raw sugar now annually imported into the United States, it is plain that we have begun here the development of an industry of enormous proportions. There is but one problem connected with the sugar beet business remaining unsolved. This is the degree of profit which it will confer upon farmers. The the skill of the Bandanna club beet can undoubtedly be successfully will be taxed to the utmost if grown if the return is sufficient, to com- all the invited patriots assemble. He lacks the calm balance of Blount and pensate the farmer for the labor and Cleveland will be there, flushed with the

formed, on excellent authority, that Hall county farmers are not satisfied with the amount received for their first year's product, and that the results in this respect have been disappointing. This is probably because it was an experimental year with manufacturers and

The manufactured product is very satisfactory and commands a ready sale. Now, if the industry can be made as profitable to the men who cultivate the beet as to all other interested parties, the new business will fulfill every high hope it has raised.

THE FACT ABOUT NEW ENGLAND. No phase of the recent election has excited more comment and surprise than the fact that the four New England states voting on November 4 went democratic. In September Vermont also showed large democratic gains, and Maine alone has held the republican banner at the old altitude.

No one familiar with the changing character of New England's social and political institutions will be surprised, however, at these results. The fact is that for the past ten years two forces have been at work which were sure to accomplish this effect sooner or later. These two forces operate on opposite classes of society, but drive them along in the same direction.

First, there is a constant outflowing and incoming of old and new population in the six historic little states. The population that flows out is very largely republican-scions of the old stock pushing on to new and broader fields in the west and south. The incoming tide brings a class of laborers and homeseekers, largely Irish and Canadian, who naturally affiliate with the democratic party. This force has been slowly sapping the strength of republicanism and building up that of democracy for years.

The other element in the result acts upon what New England loves to call her "better people." It dates back no further than 1884, when the mugwump was evolved from a republicanism that opposed Blaine because he was the idol of the common people. It is from this class that most of the new and successful leaders of New England's swelling democracy have come.

These are the real facts about the case of New England. It is still republican territory in a presidential election, but will not long continue to be unless the grand old party takes up issues capable of rallying its old strength and dividing the ranks of its enemies.

THE MONETARY SITUATION. The financial stress in New York has been somewhat relieved and it is believed that the danger of a serious monetary crisis has been averted. The trouble, which for several days has caused great anxiety in eastern financial circles, had its origin in London, where an extraordinary demand for money compelled the Bank of England to make an exceptional advance of its discount rate. It is very rare that this rate goes to six per cent, as it has just done, and the fact is evidence of a most unusual pressure for money. The drain, it appears, has been largely on South American account, and it cannot be certainly predicted when this will end, so that there is reasonable ground for apprehension that the stringency may be prolonged. There is a very infortunate state of financial affairs in the South American countries, where large amounts of British capital are invested, and before a readjustment can be reached the strain upon the London market is likely to continue severe. But the resources available to that market are already being called in. the dispatches reporting heavy remittances from the continent. Still the London money market is in a very feverish and unsettled condition, and it is quite possible that the situation may be worse pefore it is better.

The serious phase of the matter for this country is the inability of the treasury department to render much assistance to the money market. The secretary of the treasury has authorized assistant treasurers to receive deposits of funds from bankers desiring to transfer the same by telegraph to the assistant treasurer at New York, and this will doubtless give some relief, but the national treasury has no money at command which it can place in the market, and while it is still prepared to redeem four and a half per cenf bonds, relief from this source is too slow to amount to much. The action of the New York clearing house in issuing certificates available in the settlement of balances was a remedial measure which produced a good effect in relieving the apprehen-

sion of a bank panic. The indications are that the worst has been experienced, but a great deal depends upon the course of the London market, and the complications there would seem to be serious. The disturbance is not likely to be felt to any great extent in this section, though of course if it should be prolonged we can not wholly escape the consequences. At present, however, the local monetary situation is represented by bankers to be very satisfactory, and no apprehension is felt regarding the immediate future. The suggestion that the result of the late elections is in any degree responsible for the disturbance does not appear to have any substantial foundation. The fact that one political pacty has lost and another gained control o one branch of congress has no such significance as to create a financial flurry is two continents.

Ar the capital of Ohio there will assemble today a remarkable birthday party in honor of ex-Senator Allen G. Thurman. The event is notable chiefly for the wierd variety of political patriots which it brings together. The surroundings are certainly auspicious for a genuine Jeffersonian blow-out, barring the simplicity. The loaves and fishes are uncommonly numerous and the horizon of democratic hope is sufficiently lurid to excite wild flights of fancy and voluble discourse. The greatest tact will be necessary to maintain harmony at the festive board, and time it involves. THE BEE has been in- nomination of the London Times. David

B. Hill, with the mantle of Tammany on his shoulders and its tomahawk tucked away in his bolt, is booked for a prominent seat, thus bringing two rival aspirants for the presidency into dangerous proximity. The first represents theoretical democracy, the latter the practical side, yet the former maintains a strong hold on the party affections, and should he receive the usual democratic homage the nursling of Charley Dana will find it difficult to control himself. Uncle Joe McDonald, who was snuffed out by Cleveland at the behest of Hendricks, is expected to doff his grave clothes, while Gray and Voorhees, whose combined love for Cleveland would not strain the eye of a cambric needle, will lend variety and dignity to the occasion. In addition there will be Palmer of Illi-

nois and Campbell of Ohio, both anxious

for presidential lightning, and those

distinguished accidental triplets-Patti-

son, Boies and Boyd. The gathering

physical and mental strength of the party leadership. THE annual convention of the Knights of Labor, now in session in Denver, is nothing more than the skeleton of a once mighty organization. But two hundred delegates are now present. The empire west of the lakes, comprising three-fifths of the nation, is represented by seventeen delegates. Nebraska is conspicuous by its absence, while New York, New Jersey, Pennsylvania and Canada monopolize seven-tenths of the delegates. The decline of this noble order is primarily due to an overdose of Powderly. From a powerful organization, once numbering a million toilers of both sexes, and capable of accomplishing permanent good for the cause of labor, it has virtually become a shadow of its former self and is today head together solely to furnish a luxurious living for the members of the executive committee. But the real cause of labor has not suffered. On the contrary, new and more compact organizations are rising from the ruins of the knights, founded on the rock of the common good

THE fact that there is a consensus of opinion among army officers in favor of the government adopting an efficient system of coast defense ought to have great influence with congress and the country. In his annual report General Schofield emphasizes the suggestions and recommendations made by General Howard regarding coast defense, and other military officers have urged the necessity of providing for the defense of our great seaports, now wholly exposed. The government has entered upon the construction of an adequate fleet of battle-ships, but military men insist that in order to render our seaports absolutely secure they must be fortified, and their concurrence as to this can only be regarded as conclusive. The present congress should certainly give this matter some attention, but the difficulty is that the appropriations for other purposes are so large that coast defense may have

and rigidly excluding political mer-

cenaries and bogus agitators.

ATTORNEY GENERAL MILLER voices the common sense idea of the antilottery law in declaring that "it was framed with a view to suppression of certain known and widespread agencies of evil, and it is certainly not wise to em barass its execution by a strained and unnatural construction in reaching after practices not thought of as the motive for its enactment.

THE efforts of the czar of the county jail to deceive reporters and shield escaping prisoners only serve to make his incompetency the more conspicuous.

A Consumation to be Hoped for. Philadelphia Press. Emile Zola has almost lost his eyesight, Perhaps he will not be able to see so many

nasty things to write about in future. Two More Men of Destiny. St. Louis Globe-Democrat. The elections add two names to the roll of 'men of destiny." They are those of Robert E. Pattison of Pennsylvania, and William E. Russell of Massachusetts.

Surrendered at Discretion. Chicago Tribune Stanley told his story as soon as he reached this country. His intimate acquaintance with American newspaper reporters satisfied him the boys would worm it out of him some

The Alliance and the Democracy. St. Joseph Herald. There are no independents or alliance peoole now; democracy claims the whole mass. The farmers and laborers have been swallowed whole and not even the name of their party will survive if democracy can obliter

Vain Bourbon Boasts.

Kansas City Globe. "We sincerely believe," says the Louisville Courier-Journal, "that it would be of vast benefit to all parts of this country if the blow given the republican party on Tuesday should prove fatal." "Why," asks the New York World, "is the republican party permitted to When you fellows run your head against a solid republican wall in 1892, read your answer in the stars.

This Can Not Go On Forever.

Lincoln Journal.

The Omaha World-Herald has more trouble in hearing of the returns of the election on the general state ticket than you can shake a stick at. It still repeats the weary refrain, 'sixty-nine counties gives Smith, and Jones, and Robinson so and so." This can not go on forever, Mr. Hitchcock. The real returns, undoubtedly, were pretty well known to the ratifiers of last night and threw more or less wetness on the proceedings. The democracy which was glorifying had been reduced to the humiliating position of the "third party" in Nebraska.

What Pulled Tammany Through.

Tammany hall's victory in New York City is attributed to all sorts of causes, chief among which was the cunning use made by Tammany there as by republicans elsewhere of national issues. New York is a pivotal state, and by representing that a local defeat of democrats now would result in a republican victory in 1882 votes were secured for Grant that would have been cast against him if the partisan feeling had been absent. The dragging of the tariff and other national issues into municipal elections is responsible for a great deal of corruption and bad government, not only in New York, but elsewhere. IN THE ROTUNDA.

Hon, E. P. Roggen, secretary of the Business Men's and Bankers' association, came up from Lincoln yesterday. A Ber man met him at the Paxton and asked him to talk, which he seldom does.

"Yes," said he, "Lincoln is full of independents all clamoring for a contest as be tween Powers and Boyd. The air is full of it. I could not learn whether Burrows favors the move, but heard that he did not. Leese has expressed himself as opposed to a contest in the legislature as between Boyd and Powers and thinks the man who receives the largest number of votes on the face of the official returns should be scated and not afterwards interfered with. But notwithstanding all this, there is a move on foot to make a contest and I was told last night that attorneys are now at work on the specifications and on the plan of campaign. The naturalized vote of Omaha will be the chief object of attack. Emissaries of the independent party are now thought to be at work in Omaha planning an attack upon the validity of the Omaha vote. "No, so far as my observations have gone,

will be truly representative of the variethe democrats are doing nothing in the premgated hopes of democracy and will afises. They seem to feel secure and that ford the public a composite view of the Boyd will be seated without opposition. "The boys in the office of the secretary of state say that the proposition to increase the number of supreme justices and salaries thereof and of district judges failed to get

> the requisite number of votes. "Yes, the prohibitionists are down deep in the slough of despond. Considering the silent vote they lacked from 53,000 to 55,000 votes of a majority. The prohibitionists cast only about one-fourth the total vote of the state. I gather also that the high license amendment is in the consomme."

Official returns of over sixty counties have been received by the secretary of state. The law requires that the canvass of county votes by the county boards of canvassers shall be completed by November 12 and an abstract of the vote must be filed with the secretary of state by November 17.

Church Howe of Omaha was in the city yesterday. He positively asserted that several causes were responsible for the political cyclone, but that first and foremost in the train of untoward circumstances was the McKinley bill. Said he:

"The people are also dissatisfied with the present financial policy of the government, and that, with the new tariff bill, are responsible for the republican defeat all over the coun-

The peple won't stand this additional taxation, and this general uprising shows it to be a fact. A party cannot expect success, with the country in its present condition, by advocating an increased tariff and additional taxation. What they demand is a reduction, and the republican party can only retrieve its reverses by a radical modification of the law passed at the last session of congress.

This can be done, but it will require speedy action, as the republican congressmen must do it before their terms of office expire. They made a mistake, and they ought to admit it. Now that they understand the wishes of the people they ought to pass a law in accordance with those wishes. As far as I am personally concerned, I am opposed to the McKinley bill, or any other measure which favors the east and injures the west."

WHAT STRUCK PROHIBITION.

Paxton Republican: Here is long life and prosperity to Hon. Edward Rosewater and Mr. Webster, who have proved that they are a power in the land.

Hastings Nebraskan: The defeat of prohibition in this state is due principally to a large conservative element that believed the peace and presperity of the state would be best subsurved by retaining the present law on our statute books. The coffin business in the procession last night was a feature of the affair that seemed to be carrying matters a little too far. Prohibition is defeated and it ia well tolet the matter alone.

Minden Democrat: Probibition has been defeated by an overwheiming majority. It has usualty been claimed by its advocates in Nebraska that if left to the country and small town voters the question would carry for prohibition. It was charged that the larger cities were so corrupt that the country districts stood no show in bringing about a reform of this kind. In looking over the vote of the state on this question we find, however, that prohibition was defeated without counting the votes of Omaha, Lincoln, Plattsmouth, Hastings, Grand Island and Kearney. Verily, the cities are not the only places that vote against prohibition.

Callaway Courier: One cause of the overwhelming defeat of prohibition at the late election can be traced directly to the circulation of the crazy prohibition organs, of which the New York Voice is a shining example. The scurrilous defamation of Nebraska and her cities scattered broadcast by this vile sheet, made more anti-prohibition votes than the combined efforts of Rosewater, Roggen and Webster. The low-down contemptible trick played upon the local papers of Ne braska by this prohibition-for-revenue-only organ turned nearly every one of them against a cause which they might otherwise have advocated. For downright jackassery the chronic prohibitionist takes the cake.

Crawford Clipper: The question of prohi-

bition as a national measure is virtually ended. Within the past three years ten of our sister states in which the question has been submitted have cast majorities against it aggregating half a million votes. These states are Texas, Tennessee, Oregon, New Hampshire, Connecticut, Massachusetts, Michigan, West Virginia, Pennsylvania and Rhode Island, and each one has been subjected to a thorough and systematic campaign, notwithstanding which, the license law has won by handsome majorities in every instance. Nebraska was recognized by these mistaken mortals as the last hope, the last stronghold, situated as she was between four weak sisters who have put on the cloak and are struggling with a law that is contrary to reason and Americanism. They concentrated their forces, imported dozens of world renowned speakers, flooded the state with prohibition literature, bought newspapers and spent hundreds of thousands of dollars to capture this, the last forlorn hope, only to be snowed under 40,000 deep. This is the death knell to prohibitiou.

STATE ELECTION ECHOES.

Kearney Journal-Enterprise: It was not the McKinley bill as much as it was the desire to "yerl," which caused the defeat of the republican party.

Creighton Courier: Bunkum, Bossism and Boodle must go out of business in the republican party in Nebraska, or the party must go out of business. Nebraska City News: When Church Howe

and John Watson meet in the next house of representatives they will probably shake hands "across the bloody chasm" and remark that there are only a few of us left, Crawford Clipper: Kem's advice to the

farmers to sow a little politics along with their other crops returned some ten, some fifty and some an hundred fold to his vote in the Big Third. But Kem's success cannot be attributed alone to the advice he gave so freely. In a great measure it was due to the worz of dissatisfied republicans who allowed their personal feeling against Mr. Dorsey to outweigh their desire for the success of republican principles and a continuance of republican politics. That was what elected O. M. Kem.

water?"

There were twenty-three applicants, they being as follows: C. W. Kunzman, Syracuse; F. Aksanit, Crete; John H. Brt, Crete; Delicants, they being as follows: C. W. Kunzman, Syracuse; F. Aksanit, Crete; John H. Brt, Crete; Delicants, they being as follows: C. W. Kunzman, Syracuse; F. Aksanit, Crete; John H. Brt, Crete; Mr. J. Hotzclaw, Lamar; Frank R. Robertson, Ashland; John H. Shary, Crete; John R. Everett, Talmage; E. C. Bottume, Sterling; D. M. Ramsdall, Exeter; Charles W.

FROM THE STATE CAPITAL.

Some Interesting Decisions from the Highest State Taibunal.

HOW THE GAMBLERS ELUDED CAPTURE.

Is the Alliance Responsible for the Possible Failure of the Amendment to Increase the Supreme Judiciary?-Lincoln Notes.

LINCOLN, Neb., Nov. 13 .- [Special to THE BEE. |-The following opinious were handed down today by the judges of the supreme court :

Dickerson vs Mechling. Error from Gage county. Reversed and remanded. Opinion by Mr. Justice Maxwell.

Judgment was rendered by a justice of the peace on the 7th day of August, 1889, from which the plaintiff on the same day appealed to the district court and filed a transcript therein. On the 19th day of that month the plaintiff filed a petition. No pleadings were filed by the defendant and on the 17th day of October, 1889, the rause was continued. Afterwards on the same day the continuance was set aside and the action dismissed on the motion of the defendant, the defendant at the time being in default of an answer. Held that the appeal was preperly taken and the court erred in dismissing it.

Bohn manufacturing company vs Kountle, appeal from Douglas county. Reversed in part, affirmed in part. Opinion by Mr. Justice Norval.

In a contract for the sale of land, it was stipulated that the purchaser should creet a dwelling upon the premises within a stated time. The building was erected, but the labor performed and the material furnished were not fully paid for. Held in an action to foreclose the mechanic's lien. that the liens of the mechanic and material man have a paid purchase money.
Union Pacific railroad company vs Broder-

Office Pacific railroad company vs Broderick, error from Douglas county. Affirmed.

Opinion by Mr. Justice Norval.

Where an employer negligently provides his workmen with improper and unsafe apparatus with which to perform the work, and the workman, without any fault on his part, is injured owing to the employer's neglect to

provide suitable, safe and proper appliances, the amployer is liable for the injury.

2. Held that the evidence sustains the verdict and judgment.
3. The instructions examined and held to have been properly given.

Hilton vs Crooker. Appeal from Lancaster county. Decree for plaintiffs. Opinion

by Justice Maxwell. On the testimony before the court held that a deed set fourth in the record would be reformed so as to exclude forty acres of land

described in the opinion. 2. A contract for professional services, as that of an attorney, is personal and confidential, and cannot be assigned to another without the assent of the client; and in case of such assignment without such assent, the client may declare the contract at an end and recover certain lands conveyed as a conditional fee for the prosecution of the action money expended in the prosecution of the action, however, to be refunded.

Oberlies vs Willis, Error from Saline county, Affirmed, Opinion by Justice Max-One M. leased ninety-two acres of land to O. to farm the same on shares, each to have one-half of the crow. M. sowed twenty-two acres in oats and agreed that O. should have eleven acres of corn in lieu of one-half of the oats. Seventy acres of the land were planted to corn. In May M. mortgaged the oats and left the state. Soon afterwards O requested W. to purchase the interest of Mrs. M. in the corn and cultivate and care for the same and a bill of sale was thereupon executed by Mrs M. to W., which was witnessed by O., whereby

Held, that O. had no claim upon W. for oats, Millsap vs Ball, Appeal from Douglas county, Affirmed in part, Opinion by Just-1. Where a vendee of real estate, under a contract of sale, containing a stir

the purchaser shall construct a building upon the premises, creets a building thereon, the laborer or material man is entitled to a lien against the property paramount to the lien of the vendor.
2. Under section 2 of the mechanic's lien law, a sub-contractor to obtain a lien mus make out and file with the recorder of deeds

of the county where the building is erected a

sworn statement of the amount due from the contractor for labor and materials within sixty days from the performing of the labor and furnishing of the materials. 3. The contractor cannot maintain a suit

against the owner until after the expiration of that time
4. If a building is not constructed accord contract, the owner is entitled to offse any damages he may have sustained thereby

and the lien attackes for the amount actuall lue after deducting such damages. State ex rel, Buckstaff vs Graham, Or dered on docket for precent term.

Following cases were argued and submitted: Whitelock vs State ex rel district

of Omaha, Shepperd vs State, Furst vs Court adjourned to Tuesday morning, November 9, 1890, when the cause from the Ninth district will be called.

RALDED A GAMBLING DEN. The gambling place above the Ivy Leaf saloon on North Tenth street was doing a very good business last night, and was crowded with suckers when Marshal Melick Detective Malone and Sergeant Otto made a raid on the place about 11 o'clock. Some difficulty was experienced in getting into the room by the officers, and by the time they gained entrance the majority of the crowd had escaped through the skylight. Two re-mained behind, Frank Burns and Harry Sloan, who pretended to be farmers, but who are alleged to be really tinhorn gamblers, and may be seen loafing on Tenth street every day. They were taken to the station, but soon afterwards released on bail, and this morning cheerfully paid the fine of \$10 and

costs levied against them.
This afternoon it was learned that the felows who escaped through the skylight onto the roof of the third story jumped from that height to the roof of a two-story building south of the Quick block. The back part of that building is only one story high and on making another leap the fugitives made their way to the rear of the structure, where they slid down a tree and reached terra firma. IT IS PROBABLY LOST.

The annuncement in THE BEE this morn ing of the possible fadure of the amendment to pass providing for an increase in the num-ber of supreme judges has created considerable surprise. Sixty out of the ninety coun ties have been heard from and the votes for that amendment are still greatly in the mi-nority. In glancing over the table of returns in the office of the secretary of state it is noticeable that in the counties where Powers polled his greatest number of votes, the vote against the increased judiciary amendment are greatest. It is not known here whether this is merely a coincidence or whether the farmers in those sections secretly voted against the amendment. The attorneys of Lincoln universally hope that the counties yet to be heard from will roll up a sufficient number of votes for the increased judiciary amendment to make it carry. PHARMACEUTICAL EXAMINATION.

The quaterly examination of candidates wishing to become druggists was held today in the senate chamber of the state house. The questions were as usual very practical and of such range as to thorough test the business as well as the scientific preparations of the applicant. Thus among the qualificaof the applicant. Thus among this it nections asked were the following: "Is it necessary according to the laws of Nebruska to poison register!" "What are the keep a poison register?" "What common names of chloride of ammo chloride of sodium?" "Give ant oisoning by laudanum, strychnine, arsenic, carbolic acid and aconite and describe how you would treat each case." 'How do you test for organic impurities in drinking

Underhill, York: J. H. O'Green, De Witt; Ed Curry, Garrison: William, A. Laffin, Deloit; W. A. Lee, Creighton: J. H. G. H. Ruhask, Courtland: H. H. Whittlesey, Crete: George Bjorkman, Lincoln: Ulfert L. Crete: George Bjorkman, Lincoln; Ulfert L.
Albers, Steinauer; Jeseph Simecek, Wilber;
A. E. Hagensick, Lincoln; F. H. Tendee,
Bee: Jabez B. Robinson, David City; F. A.
Greedy, Beaver Crossing. Tomorrow an examination will be held in Hastings, which
will be the last his year. amination will be held it will be the last this year.

BOUND TO GET THE MATOR'S AUTOGRAPH. John A. Buckstaff, the well known contractor asks the supreme court for a writ of man-damus to compel Mayor Graham to sign \$20,000 worth of sewer bonds and \$100,000 worth of paving bonds bought by Buckstaff., The contractor declares that on November 10 he entered into a contract with the city to purchase these bonds at par and that the con-tract was duly approved by a majority voto of all the members elect at the city council. That he in good faith gave bond in the sum of \$100,000 with sureties and this also was ap-proved by the council. But when the bonds were presented to the mayor be refused to

TO WHOM WERE THE BONDS GIVEN.

John Riggs, who was plaintiff in a suit against Ed C. Miller et al in the district court of Sheridan county, has appealed the case to the supreme court, not being satisfied with the decision of the lower tribunals. The cause of action was a suit brought by Sheriff Riggs against his deputy, Miller, and his bondsmen, to recover about \$500 for which the sheriff had been immersed on account of the fallure of his deputy to return an execution within the limit prescribed by law. The district court sustained the demurrer to the petition on the part of the bondsmen of the deputy on the grounds that the deputy's bonds had been given to the county instead

of to the sheriff personally, Ed C. Leckwood, treasurer of Sioux county was sued by school district No.1 of that county for \$231 damages for alleged failure to faithfully perform the duties of his office as required by law. The school district recovered the amount asked for and today Lockwood appealed the case to the supreme court

NEWS OF THE NORTHWEST. Nebraska.

The new creamery at Pierce has commenced operations. For stealing a plug of tobacco an Aurora boy named Fred Johnson has been fined \$1

and costs. Grace degree lodge, Daughters of Rebekah, has been instituted at Crete with twenty three members.

William Watson of Fairfield has invented new corn cultivator, out of which he expects to make a fortune. Clark A. Bennett of Orleans, a prominent

horse breeder, died of pneumonia Tuesday after an illness of ten days. William B. Thompson, for four years agent of the B. & M. at Grand Island, died Mon-day of typhoid pneumonia, aged thirty-three

S. M. Elder of Clay county wants to be speaker of the next house of representatives. Other successful alliance men are still to be heard from.

The town of Wilber has voted bonds to aid the Kentucky distillery company in creeting a plant with a capacity of 200 bushels of grain per day. Prohibition didn't do it. William Kingen of Scotts' Bluffs county

has been arrested by officers from Wyoming on a charge of cattle stealing. It is believed that, he is a member of an extensive band of The Sidney Telegraph gives this account of

a true western heroine: Five years ago oc-curred the Pinkston murder in the Pumpkin Creek valley in which the Pinkstons, father creek valley in which the Pinkstons, father and son, were killed by Reynolds, who was hung in Sidney. On Wednesday of this week the widow, Mrs. Mary A. Pinkston, proved up on the claim of her dead husband, and Miss Maggie Pinkston on the claim of her brother. Miss Maggie has remained on her claim ever since the trial which resulted in the conviction of her prother's murdeer. She has shown a slack brother's murderer. She has shown a pluck and heroism that few girls could exhibit and has richly earned her title to a quarter of

lowa. Ex-Mayor Abram of Oskaloosa died suddenly of neuralgia of the heart.

W. purchased the interest of M. in the corn free from the claim of the oat contract. The packing house at Iowa City started up this week and killed 500 hogs the first day. Thirty-five Cedar Rapids saloonkeepers have been arrested for selling liquor on election day. Union is wrestling with an epidemic of

measles. The schools are closed as over half the pupils are afflicted. The Eastern Iowa Horticultural society will hold its annual meeting at Iowa City December 3 and 4, and competition will be

open to all. There is an epidemic of hog cholera raging in Oskaloosa, which is taking the animals off by the score. Within the past two weeks Price & Co. have lost \$1,000 worth of prize

hogs from the disease. A number of Cedar Rapids young men have formed a Bellamy cluband propose to cheapen their living expenses and add to their social enjoyment by adopting the idea expressed in "Looking Backward."

The October report of the warden of the Fort Madison penitentiary shows the average number of inmates to have been 396. Twentyeight were admitted during the month and fifteen discharged. The salaries of officers and guards and running expenses footed up \$7,539,46. The state mine inspectors have nearly com-

pleted their statistics regarding the mining ousiness of the state, and will send copies to Superintendent Porter of the census bureau at once. Copies will be retained in the office, and the board will compile a report for use within the state.

The auditor of state has received a letter from J. T. Brown, Brooks, Cal., containing a certificate for 86 cents due him since Novemcertificate for 86 cents due min since storms ber 5, 1892. The principal and interest now amounts to \$5.85. He states that the certifi-cate, which has been lost all these years, was given him for service in the army and had given him for service in the army and had been mislaid in files of army papers. He asks that a warrant be sent for the full amount, but this is impossible, owing to there being no fund that can be drawn upon to pay it:

The Two Dakotas. The German Lutherans are building a parsonage at Eikton. Cattle were shipped by rail from Custer

Scotland is to have a lecture course this winter under the auspices of the academy. The Egan tow mill is running in full blast with an output of about three car louds a

for the first time, last week.

STACOBS OIL

SATE: IT EXECUTIVE CHAMBER. IS Annapolis, Md., Jan. 6, '90. "I have often used ST. JACOBS OIL, and find tt a good Liniment."

ELIHU E. JACKSON, Gov. of Md. BEST. OMAHA

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