SHOT AT HIM FROM BEHIND

EFFORT AT ASSASSINATION A FAILURE

Unknown Murderer Fires Through a Window at His Intended Victim, but Does Not Kill Him-Mystery Surrounds the Affair.

gram.)-Last night at 11:30 Dr. J. E. Brittan was shot in the back of the head with a charge of buckshot by some unknown person: Brittan was in the saloon with some friends when all were startled by the disin the back of his head and neck. One of the shot entered at the base of the head and came out at the cheek. Four others are The gun was discharged from the darkness without, the charge passing through the glass front of the building and into it. Victim not fifteen feet away. All was confusion in the saloon, and no effort was made to capture

As yet no cause for the crime is known. and suspicion attaches to no one, though it is believed the victim knows who did the shooting. At this writing the attending doctors are probing for the shot and strong hope are entertained that the wounds will not re

WILL PUT IT ALL IN POTATOES

York County Commissioners Decide How to Spond the Send Grain Relief Money. YORK, April 14 .- (Special.) -The county re

Hef committee met yesterday for the purpose of disposing of York county's share of the state appropriation passed-by the late legislature. It was decided that the same should be used entirely for seed potatoes, and 600 car loads of potatoes are now at this place and will be distributed to the needy this

Yesterday was one of the busicst days in York for a long time, the court house square being crowded with teams and the stores of that there has been in a long time. Not in and requirements. years has so much work been accomplished by the farmers at this time of the year in this county. To drive a fee miles out of this city one will see each field being cuttivated in some way. Most of the farmers have their oats in and a great deai of plowing already done for corn. The recent rains have filled those engaged in agricultural pursuits with hope for the coming season, and every one has taken hold of the spring work with a vigor that could be hardly ex-pected from the Nebraska farmers, after being dealt with as hard as they have. The numifority of the grain that will be planted is oats, yet a great deal of corn will be planted The condition of the wheat is not as bad as was expected, and a very good crop of the

The Easter services at the churches of rations were simply magnificent, the finest ever seen in this city. The Knights Templar held their services at the Presbyterian church at 3 p. m., and the exercises were well at-tended. At the Methodist Episcopal church an Easter service was held in the morning. At the Baptist church the subject for the morning sermon was "Resurrection," and was very well handled by Rev. Mr. Follman. All

very well handled by Rev. Mr. Follman. All churches of the city made appropriate observance of the day.

Miss Hemmry, district secretary of the Young People's Society of Christian Endeavor, was a visitor of York yesterday.

W. W. Gilbert of Carlinville, Ill., is in the city, a guest of his brothers, E. A. and C. F. Gilbert. He will remain a short time.

Miss Edith Small, after a two weeks' year.

Miss Edith Small, after a two weeks' vaca-tion, returned to her school at Thayer and on Monday once more take up her work a covered passage way.

The Amphictyon and Philomathean literary solidate, which was carried. A joint meeting

Rehearsals for the May festival, to be given

The house of J. B. Smith, a farmer living a few miles out of this place, was a few evenings ago ransacked by burglars and three pocketbooks, containing but little cash, were taken. Several valuable pieces of jewelry were in the house, but these the thieves did

Notes from Busy Exeter.

EXETER, Neb., April 14.—(Special.)-L. C Gilbert has gone to Richburg, N. Y., where his wife and children have been for nearly two years, caring for Mr. Gilbert's aged invalid mother. Mr. Gilbert expects to re-main there several months, unless his mother should improve sufficient to bring her west Mrs. W. H. Lewis was called to Houston, Neb., by the death of a niece this week. Miss Sadie Songster has gone to Friend ville, where she has a position in Mrs. Mc

Farlane's millinery establishment.

Prof. Worley of York is here organizing chorus class, which he expects to drill for some time. At the close of the term he will public entertainment by the class. The Daughters of Veterans, assisted by th Sons of Veterans, will render the drama "Above the Clouds," and the farce, "Catching the Train," in the opera house at this place next Friday evening. This company hails from Geneva.

The village board met last Thursday night

and appointed E. L. Martindale town mar-shal, W. F. Nevens clerk and George H. Lee treasurer. Charles Wilson of Friendville is circulating

petition for a saloon license, but does no find it an easy job. The Young People's Society of Christian

Endeavor of the Christian church will renew its ice cream social at the residence of J. S. Couch on Thursday evening of this week The Baptist Young People's union gave : very successful and interesting social and well.

literary entertainment at the Baptist church Friday evening. The attendance was large and the receipts generous. F. O. Fritz returned home Friday from

very successful lecturing tour in the north-ern part of Nebraska in the interests of the Modern Woodmen of America lodges. The Christian Endeavor society of the Christian church have just completed arrangements for a course of lectures by very able speakers, the first of which will be by Dr. D. R. Dungan, chancellor of Cotner university, on next Tuesday evening. These will of the other speakers are Rev. Charles Mc-Curdy, Prof. Simson Ely and Prof. N. A. Stull. A small admission fee will be charged to defray expenses.

The several churches in this place wer beautifully decorated for Easter service The Congregational people had communion services Easter morning, and at the same service four young people were admitted t A beautiful Easter entertain ment was given in the evening.

Easter Services at Fremont.

FREMONT, April 14.-(Special.)-Easter services were held at all the churches of the city, and the attendance was very large Mount Tahor Commandery Knights Templar attended the Methodist church in a body. The church was beautifully decorated with flowers and the music excellent. The mes elaborate decorations were at the Congrega tional church. The pulpit was one bank of callat, Easter and other illies and paims. Mrs. Carrie Nye assisted the regular quar-tet in the special Easter music. At the close of the service a class of young people were received into full membership. In the place of the regular Sunday school exercises a special Easter service was held at 12 o'clock ducted by the children. There were elaborate byterian, Catholic

Baptist churches. Chadron's Lacrgetic Firemen. CHADRON, Neb., April 14 .- (Special.)-Chadron has long been blessed with one of the very best volunteer fire departments in Galveston. the state. With the enormous water pres-

sure this city has by means of the \$85,000

gravity system of water works, and the best paraphernalla the size of the city would STOCKS QUIET BUT STEADY warrant, it has indeed been a fierce fire that got beyond their control. The company Dr. J. E. Fritton of Elwood Peppered with

Buckshot from the Rear.

Buc the most successful parties of the season. I will be held at Leomer's opera flouse, the banquet being served upon the stage.

Honored by Their Neighbors. STELLA, Neb., April 14.—(Special.)-Last night about 150 friends gathered at the brau tiful residence of Dr. and Mrs. B. Bell Andrews of this place, to assist in celebrating ELMWOOD, Neb., April 14.—(Special Tele-gram.)—Last night at 11:30 Dr. J. E. towns, Shubert and Nemaha being well rep-

resented. After all had been served with a bountiful supper, Mr. Ralph Clark called Mr. and Mrs. Andrews up b fore him, and on behalf of those present, in a few appropriate words, presented them with an elegant sidecharge of a gun and breaking of glass and board, a beautiful mantel clock and a Dr. Brittan fell to the floor with five buckshot bronze ornament. Dr. Andrews responded Dr. Andrews and wife have been identified

with Nemaha and Richardson counties for many years, and are esteemed and respected lodged lower down in the bones of the neck. by everybody. They have two sons studying medicine and surgery. Drownes in a Water Tank.

ELM CREEK, Neb., April 14 - (Special Telegram.)-Jake Sunniville, aged 54 years, an old resident of this place, was drowned by falling into a water tank about 1 o'clock Coroner Bennett of Kearney was summoned, and decided it was unnecessary

to hold an inquest. Scorehed by an Exploding Lamp. SCHUYLER, Neb., April 14 - (Special Telegram.)-The explosion of a lamp at James Fiddes' called out all branches of the fire lepartment at 9 o'clock tonight. The lamp was thrown out before any damage was done more than to scorch the floor and fill the touse with smoke,

General Store at Genea Closed. GENOA, Neb., April 14.—(Special Telegram.)-The store of Pope & Johnson, dealers in general merchandise, was closed under chattel mortgages at 9 o'clock last night. The mortgages aggregate over \$3,000. The mortgagees have possession

AT THE NEBRASKA SOLDIERS' HOME.

Commandant Wilson and Assistant How are already well initiated into their duties

A fine croquet ground has been made at the home and there are several "croquet cranks" who can find pleasure in the game almost from early morning until night.

Dr. Sadler, the surgeon, took a trip to Hastings on the 8th inst.

The advisory board was in session on the

The following inmates have taken fur loughs: Thomas Boat, L. M. Church, James Rogers, Isaac Smith, John Bernsconi, James Whitney, Henry Jones, S. R. Vase, O. P. Brown, J. S. Crune, G. W. Lay, N. I. Butler, A. F. Mosmann, Z. Travis, G. W. Warren, George French, George Current, F. Dout, B. Whiteside, John Fox, John Dout, A. House, James Creamer and Henry Smythe.

Architect McDonald of Lincoln called a the home yesterday to look over the ground where the new building, for which an appropriation was made by the last legislature is to be located. Its location will probably be about fifty feet west of the main building and will be three stories high, with a base-ment. Adjutant Howe does not think that the building can be commenced before July or August. The basement of the new building August. will probably be used for storage, the first floor for dining room and the second and third stories for lodging purposes. The new building is to be connected with the old by

It is rumored that one of the inmates is societies of the United Brethren college of suspected of passing counterfeit money, but York met in their respective halls last evening. An election of officers was held, after tionally or continuously. The adjutant and which the two societies voted that they conlikely that some one gave him illegal coin and the inmate simply tried to come out and the inmate simply tried to come out even and passed it again. If this is true it at this place in a short time, were commenced yesterday. The music of this festival will be An average of more than nine out of ten under the direction of Prof. J. A. Parks, and over 400 will take part. It promises to be one of the finest festivals that has ever been As in every other body of men, there are occasionally exceptions to prove the rule.

> Last night an inmate named Rice, who is an inoffensive, though insane, man, wan-dered away from the home. Adjutant Howe immediately organized a searching posse and in about an hour found him lying in a field three miles distant.

> H. Stout, an inmate from Fullerton, and O. P. Duncan from Grand Island are lying very low in the hospital, not being expected to live over the coming week.

> An inmate named Patton has every spring for the past few years planted a few trees in a little spot and will try to make a grove Another inmate, Charles Winslow, takes an interest in flowers and every year adds beauty to the home and its surroundings. Another is putting in a melon patch. All do this labor entirely voluntarily.

> The attendance now present at the home 162. Last winter it was over 200, which number was perhaps higher than will ever be reached again.

The Utility of the Hairpin. Instead of a hook, it buttons boots, gloves

nd such like. Instead of a needle and thread, it will fasten together a ripped seam. Instead of mucilage, it fastens together the

woman reporter's sheets of copy paper.
Instead of a corkscrew, it will open a
bottle; instead of a paper knife, it will cut pen magazine leaves. Instead of a candlestick, it does good service straightened out, with one end jabbed into a candle, the other into the mantel.

It is so useful, the wonder is how men get along without 'em. And they don't, very WEATHER FORECAST.

howers, Followed by Cooler Weather in Nebraska.

WASHINGTON, April 14.-The forecast for Monday is: For Nebraska, South Dakota, Kansas and Colorado-Showers; cooler; winds shifting to northwesterly. For Iowa-Showers; warmer in the eastern

portion; southerly winds. Local Record. OFFICE OF THE WEATHER BUREAU, OMAHA, April 14.—Omaha record of tem-perature and rainfall, compared with the corresponding day of the past four years; 1895, 1894, 1893, 1892.

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nver it Lake City	62 68 42 74	74 60 84	.16	Cloudy. Cloudy. Clear. Cloudy.

To indicates trace of precipitation.
L. A. WELSH, Observer.

Speculation in Wall Street Slack but Prices Are Held Firm.

ENCOURAGING COMMERCIAL SYMPTOMS

Upward Tendency in Prices and Growing Confidence of Dealers the Most Certain Indications of the Passing of the Period of Pessimism.

NEW YORK, April 14 .- Henry Clews, head of the banking house of Henry Clews & Co. writes of the situation in Wall street:

"Quiet but steady" fairly represents th dition of business at the Stock exchange for the past week. We have now had two weeks of partial reaction from the revival of speculative interest, which was so con-spicuous during the latter half of March. The abatem at of that special activity does not appear to have any special or discouraging significance. The movement was confined to a limited group of stocks which circumstances had simultaneously favored.

fined to a limited group of stocks which circumstances had simultaneously favored, and there is evidence that the rise was sound, so far as it went, in the fact that the advance in most of those securities is still well maintained, notwithstanding that the speculative interest in them has subsided and that the realizing has been considerable. The spurt in these specialties has thus left behind it no discouraging symptoms, but rather evidence that the market is becoming more sensitive to improvements in the intrinsic condition of securities and is gaining in staying qualities.

So far as respects the securities of the leading rai-roads, while interest is increaging in those that are in process of financial reconstruction, yet the mass of western roads are dealt in sparingly. As the crop movements are, at this season of the year, at their lowest ebb the earnings excite little interest and show no stimulating gains on last year. The Vanderbilt properties, however, have given a good tone to the market, their backing having come from both home and abroad, and the London buying of them has taken out the stiffness from the foreign exchange market, which has materially helped to strengthen confidence.

EARLY FOR DEFINITE KNOWLEDGE, It is as yet to a strengthen confidence.

EARLY FOR DEFINITE KNOWLEDGE. It is as yet too early to expect any show of better earnings in the roads at large growing out of the improving condition of business in the country at large. As the return of prosperity progresses, however, the effect must find expression in the business of the railroads, and it is reasonable to expect that, with the prevailing increase in general confidence, when that stage is reached there will be a general recovery in values. The expectation of that phase is imparting confidence to the market, but is not an element strong enough to induce any active buying. Each week brings us hearer to the time when crop forecasts can be made with some definiteness, and should the prospect remain as encouraging as it now EARLY FOR DEFINITE KNOWLEDGE prospect remain as encouraging as it now is, this must become a bull element of some

In the meantime all the commercial symptoms continue to be encouraging. The upward tendency in the prices of merchandise becomes more marked, which means not only a sustained increase in the demand for goods, but also a growth of confidence among the trading community. We have witnessed this week a pronounced advance in petroleum, cotton and beef. Coal has also been marked up and also silver, thus showing the tendency of products to seek a higher valuation. It is an evidence that the country is waking up from its long condition of pessimism, and that the brighter side is becoming visible to those engaged in business undertakings. The outlook for the crops generally has materially improved of late. What this country perticularly wants this year, however, is a good yield of corn, and not excessive ones in either wheat or cottom. The two latter crops can be too large to be of benefit, while the former cannot he, as it is a product that never deteriorates with age, and makes the most solid and healthy food for both man and beast. In it we have little competition with other nations, and no fear of any. It is therefore entitled to be considered the king of crops in this country, and has dethroned cotton, which used to be so considered.

DOUBT FOR CONSOLATION. In the meantime all the commercial symp-

DOUBT FOR CONSOLATION.

I think it unfortunate that the portion of the income tax law which was sustained should have been by a tie vote, as it will cause increased dissatisfaction on the part of the taxpayers. It leaves a grave doubt in the minds of most people as to the constitutionality of the law. If half of the supreme bench judges share in that doubt, why should it not be general with the taxpayers? I therefore, doubt whether any one will be willing to pay a large amount of money as an income tax under the circumstances, excepting it is done under protest, to admit of it being again recovered as a result of a future reversed decision. This attitude would not have been taken by a good sized majority vote. In that case people would have paid the tax ungrudgingly, but now in paying it they certainly will feel otherwise. It is also unfortunate that a number of the men with the largest incomes in the country through interest incomes in the country through in-DOUBT FOR CONSOLATION. tainly will feel otherwise. It is also unfortunate that a number of the men with the largest incomes in the country through inheritance of real estate, men who have never done a day's work, are exempt from paying any tax on their great incomes, while men who make their incomes by their own daily labor efforts, with great attending risk and anxiety, are compelled to pay a tax on the incomes so derived. It makes a most unfortunate, un-American distinction, and one that will make the income tax a most distasteful one to all American people, with the exception of the large land owners. The income tax law, as it now stands, is in about this shape: If I had a farm and rented it, giving me an income of \$19,900. I should not have to pay any tax on that income, but my tenant would have to pay a tax on his income derived therefrom. On the basis of justice the reverse should be the case.

be the case. SCARED AT SILVER.

SCARED AT SILVER.

The great activity among the silver propagandists of the west is attracting much attention; the more so as it appears to be directed almost entirely toward national free coinage, independently of any international arrangement. Of course, but one result would be possible under such a state of things,—the suspension of gold payments and the forcing out of the country of our present stock of gold. It is well, however, that this suicidal scheme should receive all the publicity the silver fanatics are trying to give it. When the next presidential election comes the honest population of the country will understand the meaning of the plot, and will be prepared with a verdict that will settle all such rant and forever. In the meantime, President Cleveland will see to it that no further harmful silver legislation gets on the statute book. legislation gets on the statute book.

MONEY STILL STEADY AT LONDON. General Advance in Prices Noted All Along

LONDON, April 14.—With consols steady at 105, there is no hope of anything but continued steadiness in the money market The Stock Exchange has been closed since The stock Exchange has been closed since Thursday, on which day the markets showed a small weakness. The week's business was small. Should peace be concluded between China and Japan there would be a still further advance in prices. The good weather last week caused an advance in prices. All first class investments were firm. The effect of the collapse of the Londonderry gold mine has wholly passed and the mining market was strong and more donderry gold mine has wholly passed and the mining market was strong and more active than ever. There seems to be no limit to public confidence in this direction. Chilian and Argentine securities recovered from their fall after a denial of a bellicose feeling between those two countries. American railroad securities were also improving. The Atchison reorganization scheme was well received. New York Central and Missouri Pacific seeonds appreciated each 1% per cent; Atchison 4s, Denver & Rio Grande preferred and Lake Shore each 1% per cent; Northern Pacific and Louisville & Nashville, 1% per cent; Canadian Pacific, % per cent.

Cost of Solomon's Temple. The cost of Solomon's temple and its in terior decorations and other paraphernalia was one of the wonders of olden times. According to Villalpandus, the "talents" of gold, silver and brass used in its construcgold, silver and orans used in its construc-tion were valued at the enormous sum of \$6,879,822,000. The worth of the jewels is generally placed at a figure equally as high, The vessels of gold, according to Josephus, were valued at 140,000 talents, which, reduced to English money (as has been shown by Chapel's reduction tables), was equal to £575,296,203. The vessels of silver, according to the same suthorities, were still more valuable, being set down as worth 1649,344,000.

Priests' vestment and robes of singers, 12,010,000; trumpets, £200,000.

To this add the expense of building materials, labor, etc., and we get some w ful figures. Ten thousand men hewing ce iars, 60,000 bearers of burdens, 80,000 hewers of stone, 3,300 overseers, all of which were employed for seven years, and upon whom, besides their wages, Solomon bestowed £6.733.

If their daily food was worth 2 shillings each, the sum total for all was 163,877,088 during the time of building. The materials in the rough are estimated as having been worth £2,545,337,000. These several estimates show the total cost to have been £17,442,442,168, or \$77,521,665,936 in United States BRIGADIER AND PRINTER.

General Kelley of the Industrials at Work at Bis Tride.

General Charles A reciley, late of the Industrial Army of the United States, has laid aside his regimentals and gone to work, says the San Francisco Call, He is a printer by trade, and has found employment with the Hicks-Judd company, for which firm he worked before joining the army of the un-

en ployed. The young man who for just one year has led the central California contingent of the Industrials, is a quiet, serious-faced individual, whose conversation reveals as little as may'be imagined of the demagogue. When seen at his work yesterday he appeared very willing to talk of his experiences with the unemployed, and did hot seem to think that the year he had given to the movement had been time wasted. He said:

been time wasted. He said:

"I have gone to work again, and from now on I shall continue at my employment as steadily as I can. It it is just one year since I joined the industrials—that is, it was one year ago yesterday that I laid off here to visit their camp in Oakland and see what they were doing. My sympathies were aroused by their camplities, and their condition, and I began to help them stimply with the idea of starting them on their road to Washington. I should not have gone there myself if the army had not got into trouble and met with opposition in Utah.

Then it seemed to me that I might see them through or appear to have descrited them, so I started for Washington myself.

"My reasons for returning to work at this time? They are many. Because some papers charmed that I time? They are many. Because some papers charged that I went into a movement to make miney. I bore all my own expenses from what little I had been able by frugality to save. The year that I have been idle has cost me almost everything I possessed except my littly home in Oakland, and I have a family for which to provide. Then, about a month ago my father died, and it was a question whether my mother and sister should come out here or whether I should go to them in the east. My sister is the Miss Maud Ellen Kelley who for a year past has been singing with Sousa's military band.

been singing with Sousa's military band,
"But the main reason which decided me was the attempt of the populists to mob me after the recent city election in Oakland. They accused me of being the cause of the lefeat which they met and a crowd gath-ored around my house. Stones were thrown of which one struck my wife in the head and seriously wounded her. The ringleader in that affair, W. D. Hughman, populist nominee for city councilman, is now under arrest for inciting to riot and his trial will come up next Monday.

"Has the industrial movement been a failre? No. I think not. We did not expec secure any immediate relief from congress -at least the thinking ones among us did not. Our idea was to bring to the people generally a proper realization of the fact that there was and is in this country a great minority of unemployed working people—men who will work if they be given an oppor-tunity. It was a campaign of education, and I think it accomplished its object, for men out of employment are now termed the unemployed,' instead of being classed with the tramps. We have however, a bill before congress now providing for governmental employment of United States citizens who cannot get work. It passed its first reading in the senate without a dissenting voice, and petitions for its final passage are now being irculated. If we secure the signatures of a najority of the voters of this country it will adoubtedly pass, but we recognize that no ninority can demand any legislation. "While in Washington we were very kindly

while in Washington we were very killed, treated. I met President Clevelaud and chatted with him. Like him? Oh, yes, aside from politics. He was very pleasant.

"The greatest trouble we had was to keep olities out of the movement. The populists wanted to make it a wide issue of their party, whereas our idea was to make it con-partisan movement to aid the working nen. The populists are all right, I presume but their main prisciple is the loaning of money by the government direct to the people at 2 per cent and on good security. Now how would that help the unemployed? Where could a man out of work get proper security for a loan?

"Then some of the leaders were not sin-ere. They went into it for notoriety or personal aggrandizement. Coxey wanted to run for congress, and it was a cheap campaign for him. Then Fry of Southern Californiawell, you know he has a reputation as an agitator. But when we once reached Washington the men found them out very quickly and, leaving them, came over to those of us who had no private axes to grind.

"Why did I not go to work before? Well on our return from Washington I felt much the same as the officers of the United States army did after their commands were disbanded in 1865-that their old soldiers had some claim on them-so I tried to take of my men. I had 400 when we started from Oakland, and 1.300 when we reached Wash-ington. Now nearly all of them have secured positions. There are five left in Oakland and they are all working."

FIRE INSURANCE PROFITS.

Cost of Protection Nearly Double the Loss

Sustained. The whole business of fire insurance is onducted today by insurance brokers and agents, says a writer in the North American Review. What is their interest? It will be said that if they are honest and faithful, as it is admitted they are, they will serve the best interests of the companies which they represent. They will not take too many risks in one place nor too near together. They will not, unless they get extraordinary rates, take risks which they deem to be extra hazardous, and they will see that the money collected for premiums reaches its proper destination. They will also see that losses are justly and honestly adjusted. All of this may be admitted, but what business is it of the insurance man to look after the profits of the companies which he represents; what business is it of his whether the public pays twice as much for fires as the actual fire damage? If rates are high the company which the insurance man represents gets more money, and he gets a larger income, because his compensa-tion is calculated as a percentage on As to the public he does his duty when he charges the regular rates and more, the said rates having been fixed himself and his colleagues on his local board of underwriters. Today we find that the amount of premiums paid into insurance companies is double the amount paid out by them for fire loss. In twenty years in Massachusetts the people have paid to the companies \$148,000,000 for protection against loss by fire, while only \$77,000,000 has been paid back again to the people in payment of fire losses. In other words drain on the community on account of fire has been twice as great as the fire loss That is to say, the aggregate loss to the community has been twice as great as if no insurance company existed. This means that the cost of distributing the fire loss has been as great as the loss-itself. In other words, the cost of taking care of and of distributing the insurance fund which is paid in by th bears nearly as great a ratio to the total of the fund as the running expenses of a railroad bear to its gross receipts. The Tricycle Ad Writer.

A novel scheme for advertising is accom-

plished by means of the tricycle. A French inventor is using the machine for printing various trade statements on the pavements of Paris. This feat is accomplished by means of immense types set Into the tire of the hind wheels of the machine, Ink is used in the printing and the type is made of rubber. Each rubber type islindependently inserted in the wheel so that it can be removed and other type inserted. Thus the machine can be made to print any sentence whose length is longer than the circumference of the wheel.

A reservoir, or fountain, of ink is situated back of the seat and flows to rollers, which bear on the top of the wheels. Then as the latter roll around the ink is conveyed to the pavement and the impression of the letters is left there. While the streets of Paris are traditionally clean, yet there is always enough lust which would be caught up by the inkfaced type, a condition which would result very soon in the clogging of the machine To prevent this a little blower, or bellows, i placed in front of each wheel, and as the ma chine moves it ejects wind enough to blow away all dust immediately in line with the wheel. The machine was shown at a recent exhibition of bleycles in Paris,

SUPREME COURT SYLLAR!

School District No. 49, Adams County, against Cooper. Error from Adams county.

It is not necessary that the owner be deprived of the fee. Land is appropriated when it is so taken as to deprive the owner of the use thereof. It is only when the owner is not deprived of the occupancy of the land, but merely suffers an incidental damage thereto because of the proximity of the improvement that benefits may be set off against such damage.

6. Therefore, where the petition alleged that a county ditch had been constructed through and across the plaintiff's land, and the answer admitted that fact, no payment being plended, a verdict allowing the plaintiff no damages is contrary to law.

Monday against O'Neill. Error from Dodge county. Affirmed, Opinion by Commissioner Irvine.

A tenant for years of mortcaged land planted a crop after the rendition of a decree foreclosing the mortgage, the tenant having been a defendant in the foreclosure suit. The land was sold under the decree and the sale confirmed while the crop was growing and before it matured. The purchaser did not obtain possession of the land, but permitted the tenant to retain possession, merely notifying him that he, the purchaser, would expect from the tenant as between the tenant and the purchaser the former was entitled to the crop.

Younkin against Younkin. Appeal from Saline county. Affirmed. Opinion by Commissioner Irvine.

Where a decree has been rendered determining certain issues in a case and reversing the case for further proceedings to

Where a decree has been rendered determining certain issues in a case and reversing the case for further proceedings to carry out the first decree tas for an accounting) the supplemental proceedings cannot be made the means of relitigating any issues determined by the first decree.

2. Evidence examined, and held sufficient to sustain the finding of the trial court. Western Union T legraph company against Mullins. Error from Lancaster county. Reversed and remanded. Opinion by Commissioner Irvine.

missioner Irvine.

Where a petition states a case entitling the plaintiff to judgment for any amount it is good against demurrer, or an objection to the introduction of evidence on the ground that it does not state a cause of

it is good against demurrer, or an objection to the introduction of evidence on the ground that it does not state a cause of action.

2. A master is not liable for the acts of his servant committeed outside of the line of his duty and not connected with the master's business.

3. At the instance of the plaintiff one "P" sent a telegraphic message to the chief of police at Seattle, Wash., inquiring whether plaintiff's husband was there employed by a certain company. "P" left orders to deliver the answer to the plaintiff. The telegraph company delivered to the plaintiff a message, dated Aspen, Colo., and saying: "H' is hire. Come at once. Will meet you at Glenwood Sorings, Answer here if coming." In fact, this message was not an answer to the plaintiff's, and he had no relation thereto. The plaintiff went to the telegraph office and asked the clerk to write a message in reply. The clerk asked where it should be sent. Plaintiff replied to Seattle, The clerk said: "This is from Glenwood Springs." Plaintiff inquired: "Is not this the answer to the dispatch which "P' sent to Seattle?" The clerk said: "Certainly, it is the answer. They have got him at Glenwood Springs was on the route to Seattle, and if it was far from Seattle. Plaintiff then went to Seattle, but did not find her husband. The expense of the trip to Seattle and the loss of time caused thereby were the damages allowed by the jury. Held:

1. That the clerk's statement that Glenwood Springs was on the fourte to Seattle and the tops of the trip to Seattle and the route to Seattle and the son of the trip to Seattle and the son of the trip to Seattle and the players allowed by the jury. Held:

1. That the clerk's statement that Glenwood Springs was on the fourte to Seattle and the son of the trip to Seattle and the son of that statement.

2. That the plaintiff's going to Seattle was not a consequences of that statement.

of his employment, and the company was not liable for the consequences of that statement.

2. That the plaintiff's going to Seattle was not a consequence reasonably to be considered as arising, according to the usual course of things, from the delivery to plaintiff by the telegraph company of the wrong message, and that, therefore, such damages could not be recovered.

Madsen against State. Error from Douglas county, Affirmed. Opinion by Chief Justice Norval.

Assignment in a petition in error not argued in the brief of the plaintiff in error will be considered walved.

2. In order to obtain a review of alleged errors occurring during the trial the attention of the district court must be challeaged to the same in a motion for a new trial, and such alleged errors must be specifically assigned in the petition in error.

Lothrop against Michelson. Appeal from Washington county. Affirmed. Opinion by Chief Justice Norval.

Objections to the report of appraisers made under the provisions of the occupying claimant act should be filed on or before the second day of the term of the district court next after the filing of the appraisement ment with the elerk of the court, where such report is made and filed in vacation.

2. The court may permit such objections to be filed out of time, but it is not reversible error to refuse so to do, where no abuse of discretion is shown.

3. The appraisers appointed under said law are required to make their appraisement from a view of the premises. They have no authority to take the testimony of witnesses.

of witnesses.

4. Where an occupying claimant is allowed for valuable and lasting improvements made while in possession, the measure of his re-covery is the amount the real estate in creased in value by reason of such improve

same. Fletcher against Brown, 35 Nebraska 5. The statute of limitations relating to the

5. The statute of limitations relating to the foreclosure of tax liens is no bar to the recovery of taxes under the provisions of the Occupying Claimant act.

Erickson against First National bank of Oakland et al. Appeal from Burt county. Reversed and action dismissed. Opinion by Chief Justice Norval.

Where a promissory note has been materially altered without the knowledge or consent of the maker, and the holder relies upon a subsequent satisfaction of the lastrument by the maker, such satisfaction must be pleaded in order to be of any avail.

2. The facts constituting an estoppel in pels stust be pleaded.

3. The fraudulent erasure of the name of the original payee of a promissory note. the original payee of a promissory note after its execution, by a party to the instrument and the substitution of another, without the consent of the maker, is a material alteration.

4. Such an alteration invalidates the paper 4. Such an alteration invalidates the paper as to the maker who has not assented to or ratified the change even in the hanks of a bona fide holder for value.

5. A court of equity has no jurisdiction to enjoin the transfer or collection of such note, since the maker has an adequate remedy at law.

6. The fact that a party is apprehensive that his witnesses by whom he expects to establish his defense against a note may die or move away, is not alone sufficient ground to enjoin the negotiation of the instrument, since the testimony of witness; may be perpetuated under the provisions of the code of civil procedure.

Smith against Mason. Error from Clay county. Affirmed. Opinion by Chief Justice Normal.

School District No. 69. Adams County.

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of the procedure of the control of the court without original pleadings, and one to control of the court without original pleadings, and one to control of the court without the court with the co In suit when it was issued. The policy provided that it should be void if there was at its date any other insurance on the insured property unless the consent of the company thereto should be indorsed on the policy. Held: (1) That the existence of the additional insurance on the property did not of itself render the policy in suit void, but only voidable at the election of the insurer. (2) That such provision was inserted in the policy for the benefit of the insurer and was a provision which it might waive. Hughes against Insurance Company of North America. (4) Neb., (25, followed. (3) That the insurance company, having written the policy in suit with full knowledge of the existence of the other policy, is estopped from insisting that the policy in suit never took effect, because there was indorsed thereon no memorandum of the existence of the other policy. Phenix Insurance company against Covey, (4) Neb., 724, followed. (4) That the agent's knowledge, at the time he wrote the policy in suit, of the additional insurance on the insured property was the knowledge of the insurance company and that it was bound thereby.

2. Another defense of the insurance company was that the insured had not fursished proofs of loss as required by the any was that the insured had not fur-ished proofs of loss as required by the solicy. A written statement of facts con-erning the loss was sworn to by the in-

cerning the loss was sworn to by the insured and furnished to the insurer, set out
in the opinion and held to be a sufficient
compliance with the provision of the policy
requiring the insured to furnish proofs of
loss. Hanover Fire Insurance company
against Gustin, 40 Neb., 828, followed. (2)
The conduct of the insurer after being advised of the destruction of the insured property set out in the opinion and held that
the insurer by such conduct walved the
furnishing of any proof of loss whatever.
State Insurance company against Schreck, State Insurance company against Schreck, 27 Neb., 527. Hartford Fire Insurance company against Meyer, 39 Neb., 135, followed (3) That the refusal of the Insurer to pay the loss and its defense made thereto on the ground that the policy in suit was not in force at the date of the destruction of the

force at the date of the destruction of the insured property was a waiver by the insurer of the provision of the policy requiring the insured to furnish it proof of loss. Dwelling House Insurance company against Brewster, 61 N. W., 746, followed.

3. The provision of an insurance policy requiring proof of loss to be furnished the insurer within a specified time and in a particular manner is waived by the insurer, if, with a knowledge of the fire, its adjusting agent goes upon the ground, examines into the circumstances of the fire, takes possession of the books and involces of the insured, and with his help makes an estimate of the amount of the loss. Union Insurance company against Burwick, 36 Neb., 223, folompany against Burwick, 36 Neb., 223, fol-owed.

4. Where the proof of loss submitted to an

nsurer is unsatisfactory it should return the same to the insured within a reasonable the same to the insured within a reasonable, inc., stailing in what respect it is considered defective; and if it fails to do so it will be held to have waived any defect in such proof. Phoenix Insurance company against Rad Billa Lodge, 41 Neb., 21, followed. a. The insurance policy in suit containe provision to the effect that in case a los a provision to the effect that in case a loss occurred as a condition precedent to the right of the insured to maintain an action therefore he should furnish to the insurer a certificate of a magistrate, notary public or commissioner of deeds, whose office was next to the place of the fire, stating that such officer had examined the circumstances of the fire, knew the character and financial conditions of the insured and believed that he had without fraud sustained loss on the insured property to an amount certified by the officer. A defense of the insurance company to the action was that no such certificate was furnished. Held: (1) That the insurance company by its conduct—set out in the opinion—after being advised of the loss—and by refusing to pay the loss and defending against the same on the ground loss—and by refusing to pay the loss and defending against the same on the ground that the policy in suit was not in force at the date of the loss, bad waived the furnishing of such certificate, the same being part of proof certificate, the same being part of proof celloss. (2) That the validity of any such provision was doubtful. (3) The constitution guarantees to the citizen a remedy by due course of law for any injury to himself, his property or reputation; and it seems that the right of an insured to maintain an action in the courts of the state on an insurance contract cannot be made to depend upon his first furnishing to the insurer a certificate of a notary public as to his moral character, financial standing, and the notary's opinion as to whether the loss resulted from the fraud of the insured nor as to the amount of such loss.

Not Shopoug, but Kopeen.

Prof. Meyer, the planist, at a musicale tiven at a private residence, says the Washngton Post, before sitting down to play the Polonaise by Chapin, made an Interesting statement to the guests. While in Leipsic he said, he heard his cousin pronounce the name of Chopin "Kop en." He laughed at her for it, but some years afterward, in Brocklyn, while relating the incident to a Russian scholar, he was surprised laughed at in turn for pronouncing it "She "Your cousin was right," said the Rus-

lan; the Polish pronunciation is Kopeen. With this explanation Chopin suddenly ac uires a new interest.

Inviting Prominent Republicans. CLEVELAND, O., April 11.-A committee of prominent republicans is now in Indian spois to invite ex-President Harrison to deliver an address at the convention of re-publican clubs in this city in June. In vitations will also be extended to Governo, McKinley, Senator Allison, ex-Speaker Reed, Chauncey M. Depew and other prom-inent republicans.

FARGO, N. D., April 14.—The residence Robert Houghton, five miles north, was

CLOVER. J. G. PEPPARD.

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JOHNSON-SANGER MATCH ARRANGED. One Also Made for the Spaulding and

Stearns Teams. NEW YORK, April 14.—An agreement was signed today for a series of races between the two crack bicyclists, Johnson and Sanger, to settle the question of the championship, Another agreement was signed for a one mile team race between the Stearns and Spalding teams. Johnson and Sanger will run three one-mile races in the east, one in the west, and one to be mutually agreed upon, the tracks and dates having to be settled upon, but it has been decided that the western race shall not be held further west than Denver, Colo., and that the prizes to be awarded are to be limited to gold bars. Each contestant in the series shall be entitled to pace maker, and the start in each race

shall be a flying one.

In the agreement entered into between T. W. Eck and David C. Shaffer for the team races, it is first agreed that T. W. Eck shall represent the Stearns team and David G. Shaffer the Spalding team. The race is to be one mile, by a team of three men each. The race shall take place on or before Sep-tember 15, to be awarded to the club mutually agreed upon. The prizes are to be re-stricted to gold bars. No pacemakers will be allowed. The start shall be a standing one. The scoring shall be as follows: The first man to cross the tape shall be credited with five points, the second man four points, the third man three points, the fourth man two points and the fifth man with one point

Tennessee Derby tices Today. MEMPHIS, April 14.-Unless all signs fail, the Tennessee Derby of 1895 will be run on a dry track. In fact, the course at Monta dry track. In fact, the course at Montgomery park is likely to be too dusty for fast time. The Derby is the feature of Monday's card and the richest stake of the meeting with starters. It will not the winner \$3,960. The probable starters with odds had last night against is as follows: Gath, 4 to 1; G. R. Morris 2 to 1; Wells Street, 3 to 1; Fandango, 4 to 1; Prince, 10 to 1; Jovial, 8 to 1. While the field may not be regarded as a very high class, the race, from every standpoint, is an open one, which should make it a good betting event,

W. & Ds. Defeat the O. & Ws. Yesterday the Draper & Wilcox team ook a hard fall out of the Orchard & Wilhelmys winning by a score of 27 to 15. Hateries: Toy and Knapp for Orchard & Wil-elmy; Halle and Graham, for Wildox & Draper. The feature of the game was the easy hitting of the Wilcox & Draper team, Carney and Sullivan for Points.

PENSACOLA, Fla., April 14.-Articles were signed and forfeits posted for a tenround glove contest for points, to take place at the opera house on Wednesday evening between Prof. Mike Carney, instructor of the Pensacola Athletic club, and Dan Sulli-van of Montreal, Canada. Hogan Has Posted \$50. CINCINNATI, April 14.-Kid Hogan has

posted \$50 with the sporting editor of the Enquirer in support of his challenge to fight at 139 pounds any man in the world for \$500 a side. A Kefharkable Affliction A curious cause of lost and regained voice

functions is reported from Michigan. A few years ago Miss Hattie Cotton of Constantine lost her voice and surgical treatment for the restoration of the same was resorted to without avail. She went to western Iowa on a visit and her speech returned full and strong. Going back to Michigan her voice again falled. This remarkable experience was repeated a number of times, her voice again failed. failing at home, but coming out natural and clear while in Iowa.



SORES. HOW TO SPECULATE SUCCESSFULLY

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MAKE \$10 TO \$29 A DAY with comparative regsizerity and safety.

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this plan who are highly pleased, it is worth
your while to write for the fooklet and our
complete statement of transactions made for
them, showing the profits actually made for them
every day and no losses whatever. There is
nothing blind or discretionary about this. When
you understand the plan you simply give your
offer necessary transaction without further instructions or attention from you, reporting all
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