

SETTLES POOR FARM CASES

Purchasers of the Lots Win Their Fight for Release.

SUPREME COURT GIVES ITS OPINION

Reaffirms the Decision of the Douglas County District Court Concerning Powers of the County Commissioners.

LINCOLN, Jan. 8.—(Special Telegram.)—The supreme court today handed down an opinion in the case of Stenberg against the State ex rel Keller, known more popularly as the Douglas county poor farm case.

The requirements of section 30, article 1, chapter xvii, Compiled Statutes, in regard to the proposition to sell the public grounds have been cast in favor of a proposition submitted at an election to work for the relief of the county.

It is a settled rule of construction in this state that a simultaneous repeal and re-enactment of a statute in the same session of the legislature, in a re-affirmance of the original and in a repeal thereof in the strict or literal sense of the word, State against Bemis, 45 Neb., 724, followed.

An act passed during the legislative session of 1895, entitled "An act to amend section 23 of an act entitled 'An act concerning counties and county officers,' approved March 1, 1875," did not repeal the preceding section 23, but amended it.

The determination of whether or not the proposition to sell the public grounds of the county received the required number of votes to its adoption was not a matter for the official determination of the county board.

The organization of the board for the ensuing year has been a fruitful subject for speculation about the board for several weeks and many slates have been made up by those who will have nothing to say about the matter when the time comes.

The conclusion announced in the opinion of the court is that the board for the ensuing year has been a fruitful subject for speculation about the board for several weeks and many slates have been made up by those who will have nothing to say about the matter when the time comes.

The decision of the court is in favor of the county and affirms the decision of the lower court against the county. The total amount involved, and for which judgment is rendered against the county of Douglas is in the neighborhood of \$100,000.

The case just decided by the supreme court grew out of a large number of lots in what is known as Douglas addition, an addition lying east of the present county hospital, which was platted by the county and sold for the purpose of aiding in the construction of the county hospital building.

The plaintiffs involved in the suits thus adjudicated are the amount for which judgment was entered in each case as follows: C. B. Keller, \$4,832.61; Christ Hartmann, \$2,679.92; Alvin Saunders and John T. Gardner, \$2,486.33; James Thomson, \$1,293.89; Robert Doherty, \$4,411.92; Eric H. Thomson, \$1,453.73; Edward M. Anderson, \$2,631.19; Henry Pundt and George Heilmold, \$1,637.50; Orlan Tett, \$1,638.18; August S. Gibson, \$1,099.58; William Cleburne, \$2,281.40; William Geyer, \$9,824.38; Herbert M. Rogers, \$2,720.65; William Rogers, \$3,531.73; John Wilson, \$1,445.82; William H. Bruner, \$20.35; Thomas C. Goss, \$355.89; Alfred H. Goss, \$1,348.32; Neil Bertelsen, \$1,188.35; Caroline S. Kubz, \$1,460.35; and others, with interest, amount to about \$100,000.

In addition to these judgments, forty-six claims have been filed against the board since February 13, 1895, which have never been taken into court. These amount to another \$100,000. The claimants hold that they have just as good a claim against the county as those who have obtained judgments, but the county board takes the position that these claims are barred by the statute of limitations and will contest the payment on that ground.

In 1895 a levy of 2.7 mills was made by the county to pay the poor farm judgments. The amount which this levy was intended to raise was \$60,750.85, and of this amount there was collected the sum of \$44,031.03. Of the amount collected \$12,281.87 is tied up in the defunct Mutual Savings bank, and \$7,718.34 in the German Savings bank, leaving but little over \$25,000 in the treasury which will meet the judgments. This will necessitate a levy if the judgments are to be paid.

The annual tax levy is made in June of each year, but the commissioners are required by law to make an estimate at the beginning of the year of the funds which will be required to run the county affairs during the year, and that the payment of these judgments should be provided for.

The statutes provide a maximum levy for all purposes of 15 mills. The levy made by the county last year was 14 mills, and the county funds are now about \$50,000 short of the amount required for the county business.

It is provided for a fund for the payment of these judgments is a question the commissioners will have to meet during the coming six months.

It is a settled rule of construction in this state that a simultaneous repeal and re-enactment of a statute in the same session of the legislature, in a re-affirmance of the original and in a repeal thereof in the strict or literal sense of the word, State against Bemis, 45 Neb., 724, followed.

SITES FOR THE EXPOSITION

Next Important Question in Connection with the 1898 Show.

TENDERS FOR DIRECTORS TO CONSIDER

Poor Farm, Elmwood, Riverside, Miller Park and East Omaha Each Have Their Advocates Who Will Urge a Selection.

The Board of Directors of the Trans-Mississippi and International Exposition Association will meet at the Commercial club rooms this afternoon to open tenders of sites for the exposition.

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BLUE COAT COVERS A WARM HEART

Depot Official Who Helps the Poor There is an official in the depot who sometimes appears gruff but this is for the most part deceptive.

FOURTEEN THIRTY STREET VIADUCT

To Be the Best Railroad Bridge in This Part of the Country.

Structure Will Be Completed Early Next Summer and at a Cost of \$50,000—Will Accommodate Eleven Tracks.

Within the next three months the Union Pacific railroad will start the construction of an immense steel bridge at the crossing of its tracks and South Fourteenth street, the building of which will involve the expenditure of upwards of \$50,000 in Omaha.

The engineering department of the Union Pacific has been at work upon the plans for the new bridge for several months past. They are now complete and the officials are merely waiting for the winter season to pass.

The receivers of the company have secured the necessary order from the United States court to proceed with the work, and the plans of the company's engineer have been approved by the city.

This is the fourth time that an attempt has been made to build a steel structure at Fourteenth street. Various obstacles have prevented the success of the three previous attempts.

The bridge will be of steel throughout, and will be 188 feet in length, and will be sufficiently wide to accommodate eleven tracks.

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EXPOSURE TO DISEASE

Does not necessarily mean the contraction of disease provided the system is in a vigorous condition.

FOR THE TENNESSEE CENTENNIAL

Exposition Committee Asked to Name Three Delegates.

Mayor Broatch has requested the executive committee of the Trans-Mississippi and International Exposition to designate three suitable persons for appointment as commissioners from Omaha to the Tennessee Centennial.

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REPORT OF CITY ELECTRICIAN

Details the Work Performed During the Past Year.

DRUGGIST RAPS STEPS UP A FIGHT

Makes Things Lively at the Home of the Chamberlains.

Christian Rapp, the druggist at Twentieth and Grace streets, was arrested yesterday on a charge of assault upon Thomas Chamberlain, who is employed in the stockbroker's department of the Union Pacific.

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Honesty in Shoes

Is the best policy. Some men are honest because it's natural, some because they can't help themselves and some because it pays. Makers of shoes have more chance for dishonesty than makers of most anything else because few people know the difference between split leather and full stock in the uppers—between solid leather and filled leather in the soles.

Nebraska Clothing Co

A BEAUTIFUL BOARD



It was Charles Lamb who, after spending an hour reading the various inscriptions in a cemetery, hunted up the sexton and asked him "where all the bad people were buried."

The question often arises as to who buys all the stupid Slideboards that one sees in the stores. When any person can secure such a design as the one here shown at NO GREATER EXPENSE THAN IS CHARGED FOR THE DULL, ORDINARY PATTERNS, it is a wonder that the latter can ever find purchasers.

Here is a bit of genuine beauty. Styles may come and go, but this Slideboard can never properly go out of fashion, for beauty is always a practice of not paying the price of a wonderful simplicity; it will never grow tiresome to its owner.

The equipment is very complete, and every arrangement of the best modern Board is here present.

CHAS. SHIVERICK & CO., 12th and Douglas

present contract in Omaha is a fair one for the city.

Some extensive improvements are recommended by the fire and police alarm department. In the first place a chloride storage battery is wanted in place of the gravity battery now in use.

Send your address to H. E. Bucklen & Co., Chicago, and get a free sample box of Dr. King's New Life Pills. A trial will convince you of their merits.

Quantity of Stolen Goods Found on Premises of the Accused.

Railroad detectives are confident that they located a fence for stolen goods when they raided a number of houses at Sixth and Pierce streets Thursday and recovered a quantity of property which had recently been stolen from freight cars.

For some time past both the Union Pacific and Burlington have been accused of the existence of a gang of peddlers who sell stolen goods in various kinds from house to house.

Thursday Detectives Vizard and Miller of the Union Pacific learned of the existence of a gang of peddlers who sell stolen goods in various kinds from house to house.

Late Thursday afternoon search warrants and the warrants for the arrest of the men were issued from the police court having adjourned for the day.

German Bank Stockholders Must Pay Up or Show Cause.

The stockholders of the defunct German Savings bank will appear before Judge Keyser this morning to show cause why suits should not be instituted against them on their suits to pay an assessment of 80 per cent which has been levied by order of the court to meet the obligations of the bank to the depositors.

Water Works Case Out of Court.

The injunction issued from Judge Keyser's court restraining the city authorities from enacting any legislation bearing upon the franchise of the water works company was dissolved yesterday by order of the court and the case was dismissed without prejudice upon the request of the plaintiffs in the case.

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Beautiful Teeth. What does it mean, but that the possessor keeps them beautiful? Gold Crowns, \$5.00 to \$8.00. Porcelain Crowns, \$3.00 to \$5.00. BAILEY, Dentist. Paxton Bldg., 16th and Farnam.

MEETING OF THE RETAIL GROCERS. Action Taken Regarding Customers Who Did Not Pay. The regular meeting of the Retail Grocers' association was held at the Commercial club rooms Thursday.

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