Consequences of Mod-

erate Reactions.

f Henry Clews & Co., writes:

lowed liberal profits upon large l ocks and there was consequently osition to realize. That feeling w

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EYES OF SCHOOL CHILDREN the schools to industrial training. This, in New York City Authorities Interest Themselves in the Subject.

MAY EMPLOY OCULISTS TO MAKE TESTS

Desire to Ascertain What Remedies to Employ to Prevent Injury to Visual Organs During School Hours.

Montion was made in this department two weeks ago of the action of the school board of New York City in favor of employing oculists to test the eyes of school children and to report upon what remedies are necessary to prevent injury to the visual organs of children during school hours. A more important subject could not command the earnest attention of educators and school managers. If school rooms have an injurious effect on cycsight, no time should be lost in determining and remedying the cause.

That the subject is commanding the attention it deserves is shown by numerous articles on the subject appearing in the daily press and in the magazines. In the current num-ber of the Review of Reviews Dr. Frank Aliport discusses "Defective Eyesight in American Children," and contributes many

facts for the guidance of school boards. He The environment of school children, with

regard to its influence upon their eyes, must be carefully studied. In the structure of the school building as few obstacles to vision as may be should be permitted; ample illum-inition, whether natural or artificial, should be had from the left side of the desks; the desks then elves should be of such sizes as to permit the pupils' feet to rest firmly upon the floor; they should be provided with comfortable backs and slightly slanting tops the latter placed at such distances from the eyes as to render sight easy without the close approximation of books; the blackboards maps, etc., should be so situated as to be readily seen; an erect style of handwriting, icis irksome to the eye than slanting charshould be taught; and frequen clunges of study or intervals of intermission should be secured, so as to avoid the ful effects of continuous work of one kind The 23,049 pupils examined in the city of Mirneapolis have been distributed in fifty-four schools. The percentages of defectives found in the different buildings have varied greatly, ranging from 10 per cent to 64 per cent. The maximum number was discovered in a building of a notoriously poor and unhygienic character and closely surrounded by other buildings, excluding surrounded by other buildings, excluding sufficient illumination. The great variation in percentage is to be accounted for (1) by the inaccuracies of a first examination; (2) he the surrounder of the surro by the varying quality and quantity of light (3) by the pupils' varying degree of intelligence;
 (4) by the variable number of pupils previously cared for by oculists, and
 (5) by general home, school and personal hygiene. The general percentage of defectives was 31 per cent, exclusive of those already wear-

ing satisfactory glasses. Notwithstanding that this was an initial examination, subject to the inevitable diffiulties of inexperience, ignorance and unjust criticism, the principals have become the warmest advocates of the method, and formed; that the tests have been easily per-formed; that practically no opposition from parents or children has developed; that pa rents are quite generally awakening to the gravity of the situation; that already large and its some cases startling benefits have been experienced, and that by another year, as prejudice diminishes and a better under standing of the subject prevails, greater and

still more salutary results of the test will, become apparent. * * * The means to be provided must be accensible to the masses, easy of application, considerate of popular prejudice and effective of results. Such a plan has been sug-gested and put in practice by the writer. It consists in the training of school principals in the detection of eye disorders and in a system of notification to the parents of discovered defects carrying with it the suggestion that a competent authority should be consulted.

In the city of Minneapolis, with the earbut not paid in making a nest co-operation of Prof. C. M. Jordan, su-

the schools to industrial training. The, in connection with the study of political econ-omy, is of utmost importance. The two should go hand in hand. When the colored citizen can demonstrated his usefulness as a member of society his rise to a higher plane of liberty and independence is assured. In-dustrial training will help students to appreciate the dignity and nobility of manual labor; will make them self-rellant, competent to lay out work for others, to oversee the erection of a dwelling house, a school house, a meeting house, will make them industrial leaders, and in a modest way capitalit's, en-abling them to own a house, a farm, working with the hands in the intervals of preach-

ing or teaching; and all this not for them-serves alone-they should never lose sight of the idea of service, that he who would be first must become the servant of all. "The course should include arithmetic, algebra and other mathematics as the pupil

are able to receive it; also the initial sciences (as far as possible by laboratory method), including such branches as botany, zoology, chemistry, physiology, hygiene, san-liation, etc., for their practical value, and aleo with a view to exercising the scholar's ower of observation and classification, and making him an original investigator-the highest aim of education.

There should be physical culture; the pupils should be taught to breathe, to walk rect, to use their arms; something of a military drill would not be amise.

"At each of these centers special stress should be placed on a practical preparation of both men and women for efficient religious work and upon the preparation of preachers for the practical duties of the pastorate.

Remember Their Janitor.

One of the pleasant features of the closing exercises of the Lake school was the presentation of a handsome set of silver teaspoons

to the retiring fanitor. Victor Danielson. The gift was from the principal and teachers of the school, and the assistant janitor, Azel Russell, was also presented with a token of their appreciation in the shape of a pair of handsome gold sleeve buttons,

Educational Notes.

The Rev. O. W. Hutchinson of Watertown, Mass., who was recently elected president of Grant University, Chattanooga, Tenn., has decided not to accept the office.

President Slocum of Colorado college, who has been elected to the presidency of Oberlin college, has been remarkably successful in raising money for the former institution.

Prof. Lucy Salmon, Vassar college, is strongly in favor of the abolition of the college commencement, which she characterizes as "a relic of mediaevalism." She claims that much harm is done by the over-shadowing of the purposes of education by the love of public show created by college and school commencements as commonly ob

served. As the result of coming to New York of Henry Marion Howe, the new professor of detailurgy in Columbia college, that city now contains two of the very few Ameri-cans who have been honored with the Bes-semer medal of the British Iron and Steel institute, the other being ex-Mayor Abram S. Hewitt. Prof. Howe lacks a few months of being 50, and for nearly half of his life he has had an international reputation as an authority on steel. He is the son of Julia Ward Howe.

In an article favorable to the pensioning teachers in the current number of The Review of Reviews, Elizabeth A. Allen, a teacher of Hoboken, N. J., makes the asser-tion that "a woman who adopts teaching as her life work is practically debarred from marriage under peril of losing her position." It is the general observation that women voluntarily resign their positions when they enter married life-not because of the existence in every instance of a rule against the employment of married women in the schools, but because they cannot attend to a home and to a school at the same time.

SUPREME COURT PROCEEDINGS

Walton against Campbell. Error from Lancaster county. Judgment. Ryan, C. From the mere fact that there was filed in the district court a copy of a petition and an answer entitled in the county court and indorsed as therein filed it will not be assumed that there was a judgment in or an appeal from such county court. 2. In an action for breaches of covenants of warranty in a deed for the conveyance of real property while there may be a re-covery for costs and attorneys' fees incurred but not read in making a defense arabiest and it is proper to bring the action against the party who has received the money. 2. Where license money was paid to a vil-iauc treasurer and he paid it over to the school district, on cancellation of the li-cense, the license may maintain an action against the school district for its repay-ment. BUSINESS

Ment. 4 In such case a judgment recovered against the village, being res inter allos acta, is not a bar to the action against the school district. Riley against Bancroft. Error from Doug-is county. Reversed and remanded. Ir-the C. liquor dealer must have a license from

Ins. county. Reversed and remanded. Irvite, C.
A liquor dealer must have a license from the city or county in which his store is kept. With such Jeense he may send out agents and take orders in any part of the state for goods to be sold and forwarded from the store is checked by any part of the state for goods to be sold and forwarded from the store dealer if or the state for goods to be sold and forwarded from the store dealer if or the state for goods to be sold and forwarded from the store store and be and required to obtain a license from the statute for goods of the statute of frauds is to prevent frauds and perjuries, and while certain contracts are by the terms of the statute declared void, the uniform construction placed upon the statute by the courts renders such contracts not void but merely unenforceable for want of the evidence which the state requires.
In the case of a sale of goods where the price is 26 and upwards, where there is a note or memorandum in writing of the sale, and where no part of the price was paid at the time, a suberquent acceptance by the vendee of the goods does not constitute a new contract, but merely renders enforce-able the original verbal contract; and for the place dialous to B, a licensed dealer in S, in another county. The sales were in part by negotiations between the parte of business of A, in part through a traveling salesman of A at the pace of business of A, in part through a traveling salesman of A at the pace of business of A. C. C. States and the freque of the goods were separated from the store of A to the depot at O and the freque of the goods. Paying the cartage from the store of A to the depot at O and the freque of the goods by B merely contract the sale, and how art of the price was more than \$50. There was no memorandum in writing and no part of the price was more than \$50. There was no memorandum in writing and no part of the price was more than \$50. There was no memorandum in writing and no part of the price was more there is therein st

not sufficient evidence to sustain the addi-tional averments that the principal had con-tirued the employ of the vice principal with knowledge of his incompetency to discharge the duties required to be performed by such vice principal. 2. A conductor in charge of a freight train sustains toward brakemen thereon employed the relation of a vice principal, and toward them his negligence in the line of his duty is presumably the negligence of his prin-cipal.

Wheeler against Barker. Error from boughas county. Reversed and remanded. rvine, C. In general plaintiff walves error in sustain-

In general plaintiff walves error in sustain-ing a demurrer to his petition by filing an amended petition. But when the amended petition has been stricken from the files because substantially the same as the orig-inal, he may by proceedings in error review the ruling of the court in striking the amended petition from the files. 2. In such case the court will first examine the argunder petition to ascertian if it was

2. In such case the court will first examine the amended petition to accertain if it was substantially the same as the original. If not, it was error to strike it from the files. It will next ascertain whether the amended petition stated a cause of action. If so, the error was prejudicial to the plaintiff.
3. While it is the duty of an administrator to distribute funds in his possession in that capacity in pursuance of the orders of the county court having general jurisdiction of the administration of the estate, an order thereof directing money to be paid into court, instead of to the distributee, is at most erroneous and not void. d not void. . Therefore, where a county judge orders

A interview where a county into court and he latter does so and the county judge re-elves the money, it is on his part an official ct and he is liable therefor upon his official 5. In a case submitted under rule 2 on

bond. 5. In a case submitted under rule 2 on agreed printed abstract the court will not look beyond the abstract so agreed upon and presented. Closson against Roman, 69 N. W. Rep., 760, followed. Oliver against Lansing. Error from Lan-custer county. Decree. Ragan, C. On a former appeal of this case this court determined all the issues involved except the value of a certain block of real estate, reversed the decree appealed from and re-manded the case with instructions to the district court to ascertain the value of said block and enter a decree in conformity with the opinion, taxing all the costs to the ap-pellee. Held (i), that the case was not re-manded generally for a new trial of all the issues made by the pleadings therein. (2), that the district court did not err in refus-ing to permit witnesses to be called and ex-amined as to the value of said block, but

mined as to the value of said block, but

sht ascertain such value from the evi-

embraced in the bill of exceptions

VΥ. Slight Reaction in Prices is Noted in Wall Street.

IRREGULAR

SPASMODICAL IMPROVEMENTS IN ORDER Market in a Staid Mood Conducive to Taking Moderate Profits with

RS & matter of fact, not existing. They may come, probably they will. Wall street boasts that it is siways able to discount any advance in the country's business condi-tions—the shallowest of protenses. Wall street might once have been acute and pow-erful enough to have been acute and pow-ter and the street acute as sorry echo. A good many light walsted traders have bearing long. Pyramiding is going on when-ever enthusiasm is established. Paper profits are accumulating in many conspicuous wall street quarters. The fashion is to promise a daily increase in the impetus of what the street denominates lis 'boom'. To a fair observer there seem some ob-staces in this path of cheerfulness. Every same man is realising that this is not a time for presimism; though every man in touch with business affuirs is able to find some in-dications that good times are soon to be re-established. It is good sense to be more tunnes, such confidence is not, however, what is being reflected in the rounding, bounding, sounding stuff and nonsense in Wall street's present celebration. And this fact, apparently, is amply appreciated by the Chicago pool, which, at the beginning of the week, was a big buyer and a potent fact on in giving the market the present up-ward turn – for unless ordinarily trast-within the fact couple of days been quietly getting from under. H ALLAWAY. Henry Clews, head of the banking house If Henry Clews & Co., writes: The course of business on the Stock ex-hange during the past work has been some-what irregular. The previous rise in prices shocks and there was consequently a dis-position to realize. That feeling was also encouraged by some uneasiness excited by supposed friction in our relations with the government of Spain and by "bear" attempts to create an impression that the ungenial weather is having a damaging effect upon the growing crops, and especially on the prospects of the corn crsp. Under these conditions there has been a slight reaction in prices, which probably would have been greater but for the stiff support received from London buying. Toward the end of the week there was a sharp recovery of tone, and the market developed a consider-able increase of activity with quite a marked advance in prices. Hrief realizing tractions are naturally in-client to such conditions as are now shap-

CHICAGO GRAIN AND PROVISIONS.

Features and Closing Prices of Saturday's Trading.

CHICAGO, June 12,-Wheat today recovred the greater part of yesterday's de-

ered the grant about % advance. There eline, closing at about % advance. There was quite a general covering by shorts who had oversold yesterday and who were stimulated by disquieting foreign crop dam-age reports. Other markets were sympa-thetically strong, although provisions alone made any substantial advance, closing from ordern to such conditions as are now shap ing the market. The drift seems to be to ward moderate spasmodical improvements rather than continuous sanguine buying an-an uninterrupted rise. The conditions pro-ducing the recovery are or a kind that de velos gradually, and it is only after the lapse of a certain period that their effect

lapse of a certain period that their effects become conspicuous. The result is that, al-though prices gradually mixance, yet the narket is kept in a staid mood conducive to the taking of moderate profits, with the consequence of moderate reactions. Such a market is a safe one to buy upon, provided the purchaser gets in on the drops and realizes upon fair advances; and present symptoms indicate that the market is likely to maintain these characteristics for some time to come. The opening in wheat was under the dispiriting effect of the hot summer weather which has at last appeared, and foreign ad-

All the symptoms continue to point to teady conservative revival in the general usiness of the country. Perhaps the me nost closely in touch with the trade nerv re the railroad managers and the bankers

and among those classes there is but one verdict as to the business outlook. It is not merely that their information leads them vious reports of severe damage to Dambian (rops. The crowk had evidently oversiol) yets also per severe received from South Dakota, but received little attention, the area affected being as yet too small to attract general interest. Minneapolis and Daiuth receives Dealers of Mary Elaberty, Cars inspected into store and Adot but to the area affected being as yet too small to attract general interest. Minneapolis and Daiuth receives and Adot but store and Adot but store and Adot but store and Adot but store and Adot but to the weekly clearances of wheat and flour from both consist and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the week of last year. Trade was more largely confined that to September, while business and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly clearances of wheat and flour from both consist and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly clearances of wheat and flour from both consist and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly confined that to September, while business and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly confined that to September, while business and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly confined that to September, while business and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly confined that to September, while business and from Montreal at 1, \$80,000 bu, against 2,520,000 bu, the weekly confined the former was relatively stronger, advancing 3,520 while the atter was making 5 c gain. After July had and from bic to state trading at 6352 for Sectime at 6452 they relatively stronger, advancing 3,520 bus the sectime. Additional-Jona Suyder, the stort was rather weak, affected by the ideal weather for the crop, and file. The start was store and whow was fost later on realizing July opened ise layer at 2456 const the store of the store at the expect a good crop year with fair to rea-ely high prices for farm products; they to expect a good crop year with fair to rea-tively high prices for farm products; they also report evidences of preparation for a renewal of activity in the industrial and dis-tributing interests, which they expect to find expressed in a decided revival of activity during the fail montos. This recovering tendency apcears to be less the result of any expected legislation (although much is hoped for in certain directions from the new tariff) than from the fact that the long depression appears to have about exhausted its effects and the national vitality is beginning to as-sert itse f. Much has been said about over-production, and undoubtedly we have very seriously suffered from that cause, but that depression has been greatly aggravated by a condition of under-consumption. With a country of such teeming fertility in every source of wealth as ours, the usual move-ment is toward a rapidly increasing produc-tion, which carried along with it a steady prothing of the increase is weants that comes from a yearly gam of 1,500,000 in our popula-tion. For the last four or five years this natural impulse toward a rapid growth of ion. For the last four or five years this atural impulse toward a ratid growth of roduction and consumption has been hed i the severest check by the silver panic, by

in the severest check by the silver panle, by the treasury troubles, by dangerous po-litical tendencies, by warlike crazes-and by declining prices and a pro-duction in excess of consumption. In a country like this, such obstacles to progress cannot be operative forever. To a large extent, they are cured by their own effects. The American's sangular tempera-ment will not brook repression beyond a cer-tain limit. Four years' absence of profits appeals to his courage and makes him will-ing to take a risk. Four years' curtailment of his private outlays makes him impatient for increasing his eurnings. Influences of this kind are now having their curing effect

by the ideal weather for the crop, and lin-cral receipts, 65 cars. Offerings, however, were scarce, and when wheat started up the advance was lost later on realizing. July opened is a low in following. Some of the advance was lost later on realizing. July opened is a low rat 24% c, sold at from 1 24% c to 24% c, advanced to 24% c and re-acted to from 24% c to 24% c, where it closed. Oats was steady, the feeling being en-tirely in sympathy with eere and wheat. Trading was light all day and nothing of interest developed. Receipts were re-ported at 325 cars. July opened is lower is at 17% c, advanced to 18% c and closed at from 18c to 18% c. Provisions were fairly active and higher. The opening was strong due to the im-provement at the yards, and a firm feel-ing prevalled throughout, although the best prices were not maintained. English houses and local packers were on the selling side. At the close July pork was 7.5 higher at \$7.52; July lard 5c higher at \$3.55, and July the 7.52 higher at \$4.55. for increasing his earnings. Influences of this kind are now having their curing effect upon the bad times, the trade feeling is be-coming more normal, and little by little manufacturers and merchants are expand-ing their operations. The extension of this process feeds trade and its impetus is grad-ually carrying us forward into normal con-ditions. It is mainly to this movement that we owe the signs of commercial recovery, and close observers of the currents of trade are looking forward to the next fall season for the appearance of a distinct advance to-ward healthy business conditions. At present these tendencies appear to be most conspicuous in the west and southwest, and

Ideal weather for the crop, and lin-
ceipis, 652 cars. Offerings, howery
carce, and when wheat started up
as not slow in following. Some diverse in the second seco iles 71sc higher at \$4.35, Estimated receipts for Monday: Wheat, These is the lease of a power of the most of the second states; in the eastern states, where conservatism is more influential and street of the econvery is least apparent. The eastern industries are also held back by the uncertaint the pending bill has been most prevalent, the the convery is least apparent. The eastern industries are also held back by the uncertaint the pending bill has been most prevalent, the the density and there a large amount of business now held in suspense will be released from restraint. In Wall street, there is an indefinite consciousness that affairs are drifting in the direction here indicated. The tendency is seen through a glass darkly, and therefore, has only a partial effect upon the market for securities. There is plainly a much better feeling, but no active buying in anticipation of the near approach of a really marked speculative revival. As the prospect becomes more distinct, the Stock exchange barometer may rise with a bound, when a speculative boom will be in order. Between now and then I anticipate no important reactions in prices, except in the meantime, a steady moderate upward movement in prices seems likely to occur. Nothing has happened, during the week, in the foreign markets calculated to materially affect affairs here. The Turko-Greek to the foreign markets calculated to materially affect affairs here. The Turko-Greek to any and then is current of financial affairs. The sultan is stubborn and crafty and the still accumulating gold; for what purpose is not evident; as she already has an ample stock for maintaining gold payments. The sultantion, having been about \$1,000.000. Large amounts of exchange are being made against travelers' credits, which is the chief a steady outflow thither of railroad bonds; but in stocks there is a disposition to follow, but no stock were bought late in the week under the recovery in prices.
 COUNTS UP INTO THE MILLIONS. conspicuous in the west and southwest, and in the Pacific states; in the eastern states, 0 cars; corn, 615 cars; oats, 330 here conservatism is more influential and Leading futures ranged as follows: Articles. | Open. | High. | Low. | Close. |Yes'dy. Wheat-
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crops which have made progress. Wheat in the market is fairly steady. Offers were light, owing to reduced supplies, and they receded on American advices. The market closed firm, California wheat, June delivery, parcels, was quoted at 27s 23d. Flour was firm, dearer and quiet. Malze was steadler. Mixed American, August and September delivery was quoted at 14s. Burley was quiet. American spot bailey was quoted at its 3d, the lowest price. Oats, American, were firm. Clipped mixed oats, June deliv-ery, were quoted at 11s 3d. Wheat

London Weekly Money Review.

LONDON, June 13-The money market re-mains practically unchanged, with discounmains practically unchanged, with discount stationary from day to day. The gold de-mand for the continent continues, but the approach of the jublice festivities takes away attention from the markets. The prob-ability is that for the next fortnight very little will be done, but after the diamond jublice day considerable activity is expected with a general advance of values. Amer-ican railway and mining securities of all sorts have received the most attention dur-ing the last week, the fall having been very pronounced. There are, however, prospects of a rise in view of the promising advices as to the crops and the consequent increase in traffic. There have been a good many dealings in options and most of the band issues show a buoyant tendency. Northern Pacific pref-erence, during the latter part of the week, showed a favorable reaction and cose 14 per cent. New York Central and Chera-penke & Ohio rose 4 per cent. Atchison preferred, 5 per cent. Watash preferred, 4 per cent; Donver preferred, Effes, Fenn-spixania and Readings, 5, --- cent A promi-nent feature during the week was the do-mand for Grand Trank and the Canadian railway securities in general with the cy-cention of the Canadian Pacific, which fell stationary from day to day. The gold d

rallway securities in general with the ception of the Canadian Pacific, which

Nebraska: Original-Peter W. Drummond, Ohlowa, Fillmore; Andrew J. Johnson Friend, Saline; Abner C. White, Wood River

which has at last appeared, and foreign ad-vices favoring the bear side of the market, both Liverpool and Paris showing declines July wheat, which closed yesterday at 68%, opened at from 5% to 68%, and in a minute or so later it touched 67%. At that point some other factors in the market received acter, the price began to improve rapidly. The rise which then set in was not checked fuential factor in the advance was a pri-fuential factor in the advance was a pri-fuential factor in the advance was a pri-recognition and win London confirming pre-vious reports of severe damage to Danubian crops. The crowd had evidently oversold were received from South Dakota, but hore complaints of damage by grasshop-pers were received from South Dakota, but carter: minors of George Spear, Blue Valley, York. Iowa: Original-Stephen H. Phillips, Kel-ley, Story; Isaac S. Whitaker, Clear Lake, Corro Gordo; Lewis C. Donaldson, Riverton, Fremont, Timothy Collins, Jefferson, Greene, Restoration and increase-Amund Oleon, Forest City, Winnebago, Increase-William W. Free', Swan, Marion, Original widows, etc.-(Special, May 28), James Bankhead (Jather), Lockridge, Jefferson; Louise Gars-tang, Davenuort, Scott; Catharine Cuming-ham, Sioux City, Woodbury; Harriet N. Ha-vens, Des Moines, Polk; Mary Finherty, Farley, Dubuque; (reissue) Mary E. Dungan, Carson.

there was nothing to make any test of the market,

Kansas City Live Stock.

New York Live Stock,

OMAHA LIVE STOCK MARKET

Week Winds Up with a Very Slim Run of Cattle.

EUYERS AND SELLERS FAIL TO AGREE

Difference of Opinion as to Cattle Prices Makes Business Slow_Hogs Active and a Good Nickel Higher,

SOUTH OMAHA, June 12-Receipts for June 12. June 11.

	The second secon	17-m-113	1, 167	1.00
THEFT	June 10	5,827	4531	
Ivices.	June 9	6.058	511	
rease	June S 3.645	7.662	4418.4	÷
	June 7	1,2015	3,902	- š
linge	June 5 1,897	5,735	200	
				4.9.1
		7,1991	4,165	14.64
prets	June 3 2,290	6.208	-3,091	2
week.		5.680	1.087	1000
10.114	June 1 9 cer	9,502	507	1.1
nern-	May 31	5.128	1.529	
histon	May 29	7,816		25.53
tred.	I Marke all		1.858	
Penn-	May 28 1,336	8,218	1.642	10.00
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	brought in today by a	Carlos and an	and the second second	1.0.0.000.000
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14 . A. A	Missiouri Pacific 14		- 63.1	
	and a dence 14	3	.9	
	U. P. system 2	22	100	

Total receipts ... 45 The disposition of the day's receipts was as follows, each buyer purchasing the number of head indicated: Buyera Jmaha Parking Co. Cattle, Hogs, Sheep, $1.148 \\ 1.0.8$

 $\frac{1.663}{2,108}$
 Li
 Chill & Lewis Co.
 10

 Krebbs & Co.
 23

 Hammond, K. C.
 68

 Cudaby P. Co., K. C.
 15

 Schuby P. Co., K. C.
 15
 1,825 201 other buyers Totals 946 6,218 2.312

Receipts for the week with comparisons:

Week ending June 12. 16.811 33.483 8.630 Week ending June 5. 15.754 42.041 10.887 Week ending May 22. 13.728 42.339 23.511 CATTLE-It was a typical Saturday's market, light receipts, duit trade and no

market, light receipts, duil trade and no life. Salesmen seemed to feel that with only forty-six fresh loads of cattle in the yards they ought to be able to secure an alvanco-in pices. Eugers, however, did not take that view of the situation. Other markets have been bad, with prices here most too high in proportion, and no one was prepare h to pay any more than steady prices. The natural result was a dull and draggy market that looked weak to sellers. A good many held on to their cattle and the morning was well advanced before anything like a clearance was effected. earance was effected. Cows and helfers sold at about yesterday's

rices and the half dozen bads deterday a hanged hands early in the morning. There were no stuckers and feeders to peak of in first hands and the market was

speak of in first hands and the market was nominally steady. Hords-It was the kind of a market that sales-men like to sce-higher and active. In fact, from a seller's point of view, it was the best market in some days. The market opened active at an advance of close to sc, and 1.20 offerings were all taken in a very short time. The great buils of all the bost sold at \$3.30 and \$3.325, with quite a showing at \$3.35, Yes-terday the sales were about equally divided be-tween the three prices, \$1.25, \$3.219, divided be-tween the three prices, \$1.25, \$3.219, and \$1.30. This has been a low week on boss. The high point of the month was at the very beginning, when the average of all sales on this market was \$1.40, and the general tendency of values since then has been steadily downward, with was 33.40, and the general tendency of values since then has been steadily downward, with only occasional and slight reactions. By the 3rd of the month the price was down to 35.50%, and by the end of the first week in this month it had dropped to 33.31. The present week opened with the average price at 33.30, but the decline did not stop at that point, the downward course of values continuing until on Friday decline did not stop at that point, the downward course of values continuing until on Friday the average was \$2.27, the lowest point touched by this market since February 17. The decline, however, was very gradual, and the little re-action at the close of the week was sufficient, to put the market back where it was at they close of the previous week SHEEP-There were nine loads here, but they were all consigned direct to the killers so that

perintendent of the public schools of that city, the eyes of 23,049 school children have been satisfactorily examined by the principale, after due instruction by the superin-tending oculist. Among this number 7.29 defectives have been found and largely bene ficial results have already followed. The method is, briefly, as follows: An

oculist is to be appointed by the Board of Education, whose duty it shall be to lecture to the principals upon the elementary facts ocular anatomy, physiology and hygiene and upon the uses and application of the test types, etc., making a practical demonstration of the method upon some fifty pupils.

The principals shall thereafter annually leeds. report their work to the superintending ocu list, who shall submit such statements, with his conclusions, to the Board of Education, A Snellen test card is provided for every building, with some accompanying printed matter.

They involve but slight expense, which should not exceed \$75 in a city of 200,060 people.

EDUCATION OF THE NEGRO.

Comprehensive Plan Formulated by the Baptist Mission Society.

A year ago the American Baptist Home Mission society appointed a committee of geven, of which President B. L. Whitman of Columbia university, was chairman, to report on the education of colored youth in the society's schools in the south. The com-mittee made its report to the convention recently held at Pittsburg and it was adopted. Concerning the character of the education

be imparted and the subjects to be pursued the committee says: "The first attention should be given to the

English language and literature. The pupils should acquire a large acquaintance with the literature of our tongue, beginning with the simpler forms and advancing until they love to read that which is best and highest, cultivating in themselves while learning to read a taste for the very best literature, such a proper. taste as would recognize it at once when found, and by the law of exclusion would give them a very decided and positive diataste for such literature as is not good, whether in substance or form. They should so taught and trained that they cannot with pleasure read a poorly written book on any subject. They should read aloud, and should resite, cultivating a perfect enuncia-tion and expression, and correcting all slouchiness of pronunciation. They should learn to speak and write English with clear. ness and force. "They should be saturated with the

English bible; they should, in large part, get their morals and theology from this book. We might well abstract theology, and have its place taken by a theology drawe wholly from the bible, making Jesus Christ the Lord and Master in theology and in

"History should be given special emphasic particularly the history of America, and of these countries from which the people of America originally came, and on whose institutions our own are largely modeled. Much pains should be taken in the teaching of the nature of our government, the constitution of the United States, and the duties o citizenship. They should be made theroughly familiar with the lives of our heroes and patriots, and of other men and women pronent in our civil, industrial and religious history.

"In the study of political economy, the students would receive a certain education hardly to be acquired in any other way. They would learn the laws of production of profit and least the laws of production, of profit and less, of labor as the source of wealth, of the dignity of labor as the foun-dation of civilization. They would learn the immorality of laziness, of idleness and of living on the labor of others. The whole subject of political economy would be an excelent discipline for a man not much inclined to work.

The large study of civica is peculiarly de-manded by the fact that these people are civizens and voters and that they will in-creasingly be called to pass upon questions of taxes and administration. Wel currency. republic if the friends of honesty ad of wise government shall find allies in tose who will be the leaders of thought mong the millions of colored citizens. "Special attention should be given in all and of wise government shall find allies in those who will be the leaders of thought among the millions of colored citizens.

title nurported t

an action hostile to the title purported to be conveyed by the warranty deed, this principle should not be extended to cover interest on such attorneys' fees and costs under the proofs made in this case. 3. Where a cause has been tried in the district court on the theory that an aver-ment of eviction under a title paramount has been sufficiently established by proof of a yielding to such asserted title by pur-chase of the adversary interest, this court while it may accept that theory will not extend its operation so as to countenance as assumption that the yielding was earlier than the date of the quit claim deed ob-tained by purchase of the paramount title. 4. Covenants of warranty not broken when fact that the conveyances are by quit claim

defense against

fact that the conveyances are by quit claim deeds. Tecumseh National Bank against Saun-ders. Error from Johnson county. Motion for rehearing overruled. Ryan, C. A rehearing will not be granted when it is clear that no other conclusion than that already reached is possible. 2. A proposition to amend the constitution of this state can only be submitted at a general election at which there is elected senators and representatives. 3. To affect the adoption of an amendment to the constitution of this state it must re-

artments

Senators and representatives.
3. To affect the adoption of an amendment to the constitution of this state it must re-ceive more than one-half the highest num-ber of votes cast at such general election, whether such highest number be for the filling of an office or for the adoption of a proposition.
Nerval, J., dissenting.
Jacobson sgainst Carey. Appeal from Buffalo county. Affirmed. Norval, J.
A school district issued a bond under and in pursuance of subdivisions xv, chap-ter lxxix. Compiled Statutes, and a suf-ficient amount was raised by taxation and paid to the county treasurer by the tax-payers of the district in accordance with law for the purpose of paying said bond according to its terms, but before the ma-turity of the bond the treasurer, without the knowledge and consent of the holder of the bond, lost the money by depositing the same in insolvent banks. Held, such less did not fail upon the bondholder, and that the tax levied by the county board upon the property of the school district to pay the balance due on said bond was proper.
Leczen against Miller. Error from Clay

averments it will not state lacts sufficient to entitle the plaintiff to the relief he de-mands. Herbage against Moodle. Appeal from Cuming county. Reversed and remanded, with instructions. Ragan, C. Moodle morigaged her real estate to Ton-cray to secure the payment to him or order of her negotiable promissory note. Toncray sold and indorsed the note before maturity and delivered it and the mortgage securing the same to the indorse. The indorsee did not record his assignment of the mortgage. Moodle conveyed the real estate to Sheperd, subject to the Toncray morigage. Sheperd before the maturity of the Toncray mort-gage executed a mortgage on the real es-tate to Campbell, the consideration for which was a loan from Campbell to Shep-erd, Campbell paid 550 of this loan to Shep-erd and retained the remainder for the pur-pose of discharging the Moodle-Toncray mortgage debt, and paid the sum retained to Toncray in discharge of that debt not then being due and Toncray released the Moodle mortgage. Toncray was not then the owner of the debt secured by the Moodle mortgage, nor was he the agent of the owner. Held, (D That Campbell was not an innovent mortgage of the real estate, nor entitled to a lien on the premises as against the indorse of the Moodle tote. (2) That Camp-bell was entitled to a lien upon the premises as agaanst Moodle to secure the sum of \$55. 2. The Moodle mortgage contained this provision: "That these presents are upon Lenzen against Miller. Error from Clay Lenzen against Miller. Error from Clay county. Reversed and remanded. Irvine, C. In an action for liquidated damages where the verdict is excessive and it is evident that the error in assessing the damages arose from a misconception of the evidence which probably affected the determination of the other issues, a new trial will be awarded instead of permitting a remittitur of the excess. German-American Fire Insurance Com-pany against City of Minden. Error from Kearney county. Reversed and dismissed. Irvine, C. Seesion laws of 1895, chapter xxxviii, au-

Karney county. Reversed and dismissed. Irvine, C. Session haws of 18%, chapter xxxviii, au-thorizing the imposition of a license tax on insurance companies for the purpose of maintaing volunteer fire departments, can-not be construed as in any way extending or modifying the powers of cities of the second class in that particular, because to second class in the particular, because to second class in the particular, because to second class in that particular, because to second class in that particular, because to second class in the particular, because the second class in the particular, because the second class in the particular, because the second class in that particular, because the second class in the particular, because the particular, because the second class in the particular the particular the particular the second class in the particular the particular the particular the second class in the particular the particular the particular the second class in the particular the particular the second class in the particul

riments 5 The payment of such tax cannot, how-er, be required as a condition precedent doing business, nor can payment of the x be enforced by punishing criminally reons who do business without first paying

ouris cannot substitute a different and egal method 5. A city ordinance imposed an occupation ax and provided only an illegal method or its enforcement Heid: That the whole relations was thereby rendered inoperative. Kimball against Zimmerman. Appeal rom Kearney county. Affirmed. Irvine, C. Evidence examined and heid to sustain a inding that a mortgager who had erdorses the notes secured by the mortgagee to a third person had authority as agent of such berson to receive payment from the mort-

person to receive particulation to a sager sager. School District Ne. 34. Thayer County, against Thompson. Error from Thayer county. Affirmed Irvine, C. Where a liquor licenso has been issued and is thereafter canceled without fault of the licensee he is entitled to a payment pro-tanto of the sum paid for the unexpired time.

dence embraced in the bill of exceptions and made a part of the record of the case on its first trial. (3) That the parties were not entitled to have a jury de-termine the value of said block nine. (4) That the order made by the district court taxing all the costs to the appellee could not be reviewed by him in this action on a cross petition in error as this order was could not be reviewed by him in this action on a cross petition in error as this order was made in obedience to the mandate of this court and the appellee's remedy was to ap-ply to this court by motion on rehearing for a modification of that order. 2. Evidence examined and held not to sus-tain the contention that the district judge who tried the case was biased or prejudiced against the plaintiff in error or his counsel. Cram against Sickel. Error from Lancas-ter county, Reversed and remanded. Ra-gan, C.

Cram against sieker. Erfor from bankar-ter county, Reversed and remanded. Ra-gan, C. A debtor dealing with an attorney who holds for collection a claim against him is bound to take noilee of the extent of the authority of such attorney. 2. Unless specially authorized by his client an attorney employed to collect a debt has no authority to accept in payment thereof anything but money; nor to release one of two joint debtors in consideration of the other giving security for the debt. 3. In order to estop a principal because of his ratification of the unauthorized act of his ratification of the unauthorized act of his agent it is not enough to show that he has in some manner approved of such act, but it must also appear that the principal made the approval with knowledge of what his agent had done and promised in the premises in his behalf. Bing against Osborne. Error from Lan-caster county. Reversed and dismissed. Ragan, C.

whether any proceeding at law has been Whether any proceeding at law has been had for the recovery of a real estate mort-gage debt or any part thereof; and whether such debt or any part of it has been paid are essential facts which must be averred in the petition filed to foreclose such mort-gage; and unless such petition contains such averments it will not state facts sufficient to entitle the plaintiff to the relief he de-mands.

2. The Moodle mortgage contained this

2. The Moodle mortgage contained this provision: "That these presents are upon this condition: That if the said Rebecca Moodle shall pay to the said C. Toncray, his helter, assists or legal representatives, the principal sum, etc., then this mortgage shall be vold." Hold, not an agreement between the mortgagor and the mortgage constituting the latter the agent of the indexee of the note which the mortgage secured.

A When the law imposing a tax provides 4. When the law imposing it, the method o provided is generally exclusive and if the only method adopted be illegal the source cannot substitute a different and eral method

constituting the latter the agent of the in-dorsee of the note which the mortgage secured.
3. B is the agent of A. C is B's agent, but C is not necessarily A's agent. State ex rel Beard against Cook. Error from Burt county. Reversed and writ al-lowed. Ragan, C.
The district courts of the state are in-vested with jurisdiction to hear and de-termine an application for the modification of a decree for permanent alimony.
The order made on such an application is an appealable order.
When such order directs the payment of money, whether it may be superseded is not a matter resting in the discretion of the district court; such order may be su-perseded as a matter of right on the exe-cution of a supersedeas bond, as required by the first subdivision of section 677 of the Code of Civil Procedure.
I is the duty of the clerk of the dis-trict court to determine whether the sure-ties on such a bond, when the same is duly tendered, are financially responsible for the amount of the penalty of such bond; and if the clerk so finds, it is his duty to ap-prove and file the bond.

erson to receive payment from the mort

Beecham's Pills for Stomach and Liver Illa.

*No. 2. Cash quotations were as follows: FLACUR-Steady: spring specials, \$140074.50; pring patents, \$3.70674.00; winter patents, \$4.2007 4.00; straights, \$4.0004.10; straights, \$3.40073.70; ackers, \$2.50074.00. WHEAT-No. 2 spring, 70@70%c; No. 3 spring

WHEAT-TW. 401000 354.675%c. COHN NO. 2, 24%c. COHN-NO. 2, 18c. f. o. h.; No. 2 white, 216224c; No. 3 white, 1954.6722c, RYE-NO. 2, 3334c. DARLEY-NO. 2 nominal; No. 3, 27634c; No. 101.0206.

bbl. \$7 50627 55

 A. 262@25c.
 FLAXSEED—No. 1, 75½@75c.
 TIMOTHY SEED—Prime, 52 70@2.75.
 PROVISIONS—Mess pork, per bbl., \$7.59
 lard, per 109 lbs., \$1.60; short ribs sides (
 \$4.2004.45; dry saited shoulders doxed).
 5.25; short clear sides (boxed), \$4.2504.422
 WHISKY—Distillers' finished goods, per training the statement of the st (LOOSE) \$5,002 gal.

Articles.	Receipts.	Shipments
Flour, bbls	8,000 4,000	4,00
Corn. bu	485,000	472,00
Oate, bu Rye, bu	201.000	822,00
Barley, bu	27,000	

12c. Eggs, steady; fresh, SMc, Cheese, dull; 75 GSc, Live poultry, turkeys, 76Sc; chickens, 76 75c; spring, 13618c; ducks, 76Sc. COUNTS UP INTO THE MILLIONS.

CONDITION OF NEW YORK BANKS. Increase in the Market Price of

Week's Statement is Again of a Very

Stocks Listed at New York. NEW YORK, June 13-Some indication of the extent the newly developed bullish sen-Misleading Nature. NEW YORK, June 13.—The Financier says: The statement of the clearing house timent has reached may be found in a passng calculation which shows that during banks of New York City for the week ended the last dozen days, from the beginning of the last dozen days, from the beginning of June 12, in common with the two imme-June, the granger group of railroad stocks diately preceding it, is of a very mislead-(flurington, St. Paul, Rock Island, North-western and Omaha) have increased in their market value over \$7.500,000, that is, count-ing only their common capital stock im-proportion to the increase in chans and the Shaff, Canton. North Dakota: Increase - Arthur D. ing nature, and is so involved in tech-nicalities as to furnish no ground for the assumption that business is expanding in proportion to the increase in boans and the other items. The same causes that led to the heavy changes exclusively reported in this analysis last week will hold good again. For evenues the increase in leaves of the North Dakota: Increas Chapel, Sharlow. Montana: Increas —James Snowden, Miles

c) (uningtion, 86, Pwill, Nock, Saihada, Northe, in mature, and is so involved in terms in scale, or involved in terms in scale, and is so involved in terms involv

CHICAGO LIVE STOCK MARKET. Hogs Active and a Full Nickel Higher ___Sheep Steady. CHICAGO, June 12.—Teday's cattle market was

largely nominal, receipts being small, as is usual on the last day of the week. The few, usual on the last day of the week. The few, catile offered were disposed of at prices un-changed from yesterday's quotations. In hogs trade was active at an advance of from is to 7% per 100 pounds over yesterday's figures. Sales were at an extreme range of from \$2.20 to \$3.60, with the bulk of the transactions at from \$3.475 to 51.52%. Sheep were steady at about yesterday's range of prices, although concessions were asked in some cases. Inferior to extra sheep sold at from \$2.25 to \$4.65, the bulk going at from \$2.55 to \$4.55; yearlings sold at from \$2.55 and spring lamba at from \$4.55; deeling sheep brought from \$3.25 to \$3.56. Receipts: Cattle, 700 head; hogs, 14,000 head; sheep, 1.500 head.

North Danoer, North Danoer, Mam-on Elimate Wyoming: Original-John Moore, Mam-noth Hot Springs. Montana: Original-Charles Bliven (de-

Montana: Original-Calvin Tripp, Canon ceased, Dillon. Colorado: Original-Calvin Tripp, Canon

"ity. Increase-John Farley, Cripple Creek Aaron B. Page, Denver: Isaac B. Harring-

aron B. Page, Denver; Isaac B. Harring-on, Denver. Issue of May 27: Nebraska: Original-Florence P. Day, Imaha. Additional-John K. Lux, Shelton, nerease-David M. Zook, Hampton; Ir-neug Jonaldson, Milidale; Isaac A. Arnold, Kear-Doraldson, Milldale; Isaac A. Arnold, Kear-ney, Iowa: Original-John F. Wilcox (de-ceased), Dovenport; Davis S. Sigler (de-ceased), Leon. Additional-Richard J. Bug-ness, Pacific Junction, William H. Tucker Davenport, Increase-James P. Musse., Eldera; Eli H. Burdick, Clinton; Orange B. Drake, Des Moines; Samuel Byers, Olin; Daniel Redington, Cherokee; Calvin May-berry, Manning, Original widows, etc.--Frances M. Wilcox, Davenport; Elizabeth H. Huntzinger, Afton; minor of David S. Sigler, Leon; Clementine Coffen, Humboldt, North Dakota: Original-Calvin P. Jef-feris, Bismarck. -Montana: Relssue and increase-James D. Eaton, Kalispell, Wyoming: Restoration and supplemental -George C. Moose, Sheridan, Colorado: Original widows, etc.--Aniceta M. Romero, Conejos, Issue of May 28; Nortestra: Octobard, (Sneeta), June 2) Kansas City Live Stock, KANSAS City, June 12 --CATTLE-Receipts, 1200 head; market steady and unchanged; only retail trade; Texas stears, \$1.4004425; Texas cows, \$2.0003.50; stockers and feeders, \$3.4004425; mattye cows and heifers, \$3.1504.50; stockers and feeders, \$3.2504.85; bulls, \$2.503.75; HOGS-Receipts, \$6.500 head; market strong to 5c higasr; bulk of sales, \$3.2503.375; heavies, \$3.27542(3.35; packers, \$3.2003.375; mixed, \$3.5550 2449; hents, \$2.5663.20; Yorkers, \$3.274971.30; pigs, \$2.5003.75; BHEEEP-Receipts, 1.000 head; market strong; lambs, \$3.5005.25; muttons, \$3.2504.65;

NEW YORK, June 12.-BESIVES-Receipts, 15 head, Cables quote American steers at 110 25c; sheep at 1149012c; refrigerator beef at 85 p c; Exports, 1,682 beeves and 4,349 quarters of

becf. CALVES-Receipts, 315 bend. Active and firm: veals, 14.0006.25; calves, 14.7674.35; SHEEP AND LAMDS-Receipts, 2.000 bend, pull; sheep lower; lambs casler, Sheep, 11.0009 4.50; yearlings, 15.7564480; lambs, \$1.0016.00, HOGS-Receipts, 1.921 head St. Louis Live Stock.

George C, Moose, Sheridan.
 Colorado: Original widows, etc.—Aniceta
 M. Romero, Conejos.
 Issue of May 23;
 Nebraska: Original (Special, June 2),
 Daniel O'Sullivan, Palmyra; Charles D,
 Woodworth, Omaha; Samuel Harshbarger,
 Humbolt. Additional—John Shill, Omaha,
 Increase—Hugh O'Neal, Omaha; Owen
 Donohue, Bancroft; Thomas J. Teasel, Humbolt; John W, French, Harvard. Original
 boddt; John W, French, Harvard. Original
 widows-Margaret A. Douglass, Palmer,
 Iowa: Original–Joseph B, Turner, Des
 Moines: Levi P, Voorhies, Lawa Hill; William Falmer, Hamburg; Culver Staggers,
 Madison. Additional–Samuel M, Daughen baugh, Gourie. Restoration and Increase—
 Jerome B, Carpenter (doceased), State Center, Increase—Martin V, Helton, Pleas anton; Levi Smith, Clarinda; James H,
 Gander, Mount Ayr. Original widows, etc.—
 Josepha L, Carpenter, State Center; Carrie
 Butler, Northwood.
 South Dakota: Increase—William H.
 Shaff, Canton.
 North Dakota: Increase — Arthur D.

St. Louis Live Stock.
 ST. LOUIS June 12.—CATTLE—Receipts. 200 head; shipments. 1660 head. Marker steady, but only a retail trade owing to very meager sup-ply; prices unchanged.
 HOGS—Receipts. 2.000 head; shipments. 5.000 head. Market & better and active; light 43.50;9
 Market & better and active; light 43.50;9
 MiEEP—Receipts, 200 head; shipments, 1.000 head. Market steady, but sales very small, owing to light reseipts; prices unaltered.

East Buffalo Live Stock.

EAST HUFFALO, June 12-CATTLE-Market

quiet. HOGS-Receipts, 52 cars; yorkers, fair to choice, 35.65; roughs, common to good, \$2.00g13.25; pirs, good to choice, \$3.00g2.65. SHEEP AND LAMISS Receipts. II cars: quiet and steady: lambs, choice to prime. M 60894.75; culls, common to good, \$3.2504.00; sheep, choice to relect wethers, \$4.2504.40; culls and common, \$2.2504.65. \$2.25 (FB. 65.

Stock in Sight,

California Dried Fraits.

NEW YORK, June 12-CALIFORNIA DRIFED FRUITE-Steady, evaporated apples, prime wire tray, 4%44/26 per hound, wood dried, prime, 4%c; choice, 4%474%c; fancy, 5c. Primes, 26/10 per pound, as to size and quality. Apricots, royal softle; Moor park, 126/10, Praches, un-pected, 6%10c; pected, 114/14c per pound.

Cincinnati Markets.

CINCINNATI, June 12 - FIJOUR-Quiet, WHEAT-Steady; No. 2 red. Soc; CORN-Firm; No. 2 miked, Ec. OATS-Ecasy; No. 2 miked, 159200, RYE-Steady; No. 2, 26c.

Oil Markets.

ANTWERP, June 12 .- Petroleum, 16f, paid and

JAMES E. BOYD & CO. Telephone 1039. Omaha, Neb. -COMMISSION-

GRAIN : PROVISIONS : AND : STOCKS

BOARD OF TRADE. Direct wires to Chicago and New York. Correspondents; John A. Warren & Co