COUNCIL BLUFFS DEPARTMENT

MINOR MENTION.

I. M. Treynor has gone to Washington.

Smoke "George's Own." Klein, 112 B-way.

Shriver, dentist, moved to 216 Merriam blk.

At the Grand Plaza—Concert 4 to 6, 7:30 to 11:30.

Berry boxes, baskets, bee supplies. Younkerman.

Mrs. Rutledge is visiting Mrs. Dolby of Missouri Valley.

Mrs. W. S. Williams has returned from a visit to New Mexico.

Special entertainment at the Grand Plaza 9 to 10:30 p. m. All seats free.

John E. Ahlea departed for Des Moines last night to attend the populist convention.

Patronize the popular Eagle laundry, 724 Broadway. Tel. 157. Three wagons.

I'm going to Manawa on the 2 o'clock excursion today to spend the afternoon and evening.

The members of the Unity guild are arranging for a trolley party for one evening this week.

Al Wills received a message yesterday, announcing the dangerous illness of his brother at Craig, Mo.

Miss Bessie Moore will visit Colorado points of interest for several weeks. She departed yesterday.

Raymond Kilpatrick, the little boy run over by a motor car, died at midnight Tuesday. The funeral will be held at 3 p. m. today.

The 7-year-old boy of Commercial Traveler Waffle, who wandered away from Bayliss park on Tuesday forenoon, was found late at night in the southeast part of the city. He had gone into Fairmount park and left it by the south entrance.

George F. Spooner, paying teller at the Citizens' State bank, is taking his annual vacation of ten days. Receiving Teller Wylie has taken his place and F. C. Clemens of Sioux City occupies the desk at the receiving teller's window.

Tom: I'll meet you at the Grand Plaza tonight. Will.

George Green and Anna C. Green began a suit in the district court yesterday against Mabel Kent, J. H. Kent and others for a partition of an estate in which they are interested. The property involved is a $3,000 residence in Oak Grove addition and a lot in Sunnyside.

A case of cigars, worth about $150, was stolen from the sidewalk in front of the cigar store of Moore & Ellis last night. The goods had been delivered from the wholesale house late in the evening and had been left standing on the walk until closing time.

James Wordian, the veteran West Broadway grocer, has bought an interest in the Council Bluffs soap factory, a new enterprise that recently removed here from Atlantic, and is making arrangements to go into the work of manufacturing soap and washing machines upon an extensive scale.

Mrs. J. M. Palmer has received a letter stating that the funeral services of Mrs. Frank S. Stelling occurred in New York City Saturday evening. Sunday morning the remains were placed in a vault in Greenwood cemetery, a beautiful spot just out of the city. Mr. Stelling and little son, Palmer, will remain in New York for the present.

You had better go down to Manawa with us this evening.

A 3-year-old son of John Stageman wandered away from the home of his parents, 219 North First street, at 5 o'clock last evening, and was not found until after 9 o'clock. The youngster was then picked up in the Canning cut, clear outside of town and several miles from home. He was still traveling eastward as fast as his weary little legs would carry him. The baby is yet unable to talk, but he has won the baby championship as a walker.

Miss Augusta Bowker yesterday resigned her position as a teacher in the High school and left last evening for Chicago. She will visit there a short time and will return as far as Ottumwa, where she will go into the bookstore business with another young woman. Miss Bowker has been one of the most successful teachers in the school. She was re-elected at the June meeting of the board, and her resignation came as a great surprise to her friends and the members of the board.

The press telegram yesterday afternoon announcing the senate's confirmation of the appointment of T. C. Dawson as secretary of the legation at Rio Janeiro, was received with a good deal of satisfaction by the friends of Mr. Dawson. Minister Conger, under whom Mr. Dawson will serve, expects to leave his home in Des Moines in a few days for the South American capital, and Mr. Dawson will have to arrange his business to accompany him. Dawson is now in Washington.

C. B. Viavi company, female remedy. Medical consultation free Wednesday. Health book furnished. 326-327-328 Merriam block.

N. Y. Plumbing company. Tel. 520.

Hundreds of people are seeking and finding comfort at Manawa every evening.

Boy Drowned While Bathing.

Walter Chase, a 13-year-old boy, lost his life by drowning in Mosquito creek yesterday afternoon. He was the stepson of Forest Smith, and his uncle is Albert Rothery, the Omaha artist. The lad had gone bathing in the creek in company with a number of other boys. The place selected was near the foot of Madison avenue, where there is a deep hole in the creek. In the center of the hole the water is from ten to fifteen feet deep, but in the channel of the creek above and below it is shallow enough for the boys to wade. Walter was able to swim and had passed over the deep place a number of times, followed by some of the other boys. The last time he sank while near the center. The other little fellows at first thought he was diving, but when he failed to reappear within reasonable time they became alarmed. None of them, however, were old enough or strong enough to go to his assistance. They dressed as quickly as they could and gave the alarm. Several men responded and hunted for the body, but were unable to find it. It was about 1:30 when the boy was drowned and the body was not recovered until nearly 6 o'clock. A squad of officers went out to the pool in the patrol wagon and rigged up rakes and fishing lines with which they dragged the creek. Officer Ward finally caught the body with a small fish hook and pulled it to the surface. The hook had caught in the boy's foot. A slight bruise on the side of the head and over the left eye indicated that he had struck something when he dived and it is believed that this was the cause of the accident. Mrs. Smith was in Omaha and did not hear of the accident until late in the evening.

Attention, Picnic Parties.

Special excursions to Manawa daily, except Sunday, at 2 o'clock. Round trip tickets 10 cents.

Quite a party of young people tripped the light fantastic toe after the performance at Manawa last evening.

Real Estate Transfers.

The following transfers were reported yesterday from the title and loan office of J. W. Squire, 101 Pearl street:

Sheriff to Clarence H. Williams, lot 14, block 37, Beers' subdiv, s d	$ 492
Same to same, lot 13, block 37, Beers' subdiv, s d	494
Same to M. E. Fuller, lot 10, block 3, Bayliss & Palmer's add, s d	971
I. M. Walker and wife to John Morlain, o 6 acres in se¼ nw¼ 17-77-44, w d	500
John Morlain and wife to I. M. Walker, part se¼ sw¼ 17-77-44, w d	200
Same to W. B. Lucas, e 6 acres se¼ nw¼ 17-77-44, w d	100
W. B. Lucas and wife to L. G. Jones, lot 1 in 13-77-45; lot 1 and w 27½ acres; lot in 18-77-44, q c d	2,000
W. B. Lucas and wife to John Morlain, part sw¼ nw¼ 17-77-44, and part se¼ ne¼ 18-77-44, w d	200
L. G. Jones and wife to W. B. Lucas, e 24¾ acres; lots 2, 3 and 4 in 18-77-44, q c d	2,000
S. J. Smith and wife to Frank S. Bishop, se¼ 13-75-39, q c d	600
Ten transfers, total	$7,558

For two hours before the performance last night the Grand Plaza bathing beach reminded one of some of the fashionable eastern resorts.

Cane seat rockers, 95c, this week, at Durfee Furniture Co., 205 and 207 Broadway.

COUNTY'S CLAIM LEADS ALL

Judge Smith Passes on the Harlan State Bank Cases.

DEPOSIT OF PUBLIC FUNDS HELD SACRED

Shelby County Cash Must Be Returned Before Any Dividend is Made to the Creditors of the Dead Bank.

Judge Smith has been engaged for several days in writing up his opinion in the Harlan State bank failure case, which involves a number of suits that have grown out of the failure of the bank last December. The decision is of great interest for the reason that it sustains the claim of the Board of Supervisors of Shelby county that county funds which the treasurer had deposited in the bank prior to the failure were a preferred claim and must be paid in full before the other creditors could come in for a share of what will be realized on the bank's assets. Judge Smith finished his decision on Saturday, but it was not fully written up until yesterday, and a copy was mailed to the Shelby county clerk by the morning mail. Judge Smith synopsizes the case in his opinion thus:

As early as 1872 C. J. and D. M. Wyland, brothers, were engaged in a land business in Harlan under the firm name of C. J. & D. M. Wyland. A banking business grew out of their transactions, and in 1876 became a separate feature under the name of the "Harlan bank." About January 1, 1896, the firm of C. J. & D. M. Wyland promoted a scheme for the organization of a corporation to take charge of the banking business under the name of the "Harlan State bank." The change was made on the evening of January 28, 1896, and the corporate banking business was begun on the following morning in the same office.

January 9, 1896, the Board of Supervisors of Shelby county, by a resolution entered of record, authorized the county treasurer to deposit not to exceed $25,000 in the old Harlan bank. The bank gave the bond required by statute and the county treasurer began to deposit with the bank. At the time this resolution was passed the board knew of the proposed incorporation of the Harlan State bank, and the resolution, as originally drawn, authorized deposits in the new bank, but it was discovered, either before the resolution was adopted or after it was adopted and before it was recorded, that the new bank was not ready to do business, and the word "state" was stricken out.

RENEWED ONLY THE BOND.

No resolution was subsequently passed and entered of record authorizing deposits in the Harlan State bank, as required by law, but at the April session of the Board of Supervisors in 1896 a new bond was presented by the Harlan State bank, reciting that a resolution had been adopted, as required by law, and this bond was approved by the board.

February 7, before the new bond was given, A. Pritchard, the county treasurer of Shelby county, having overdrawn at the Harlan State bank to the amount of $1,112.78, and having a credit of $4,461.97 at the Harlan bank, gave the Harlan State bank a check on the Harlan bank for this amount, giving him a net credit on the books of the Harlan bank of $3,349.19, and from that time forward kept an open account as treasurer with the Harlan State bank.

December 9, 1896, the Harlan State bank made a general assignment for the benefit of its creditors and the next day a receiver was appointed. At the time of the failure several thousand dollars stood to the credit of Treasurer Pritchard on the books of the bank, and he intervened in the receivership case, asking to have a lien for the amount to his credit established in his favor against the assets in the hands of the receiver, claiming that the deposits made by the treasurer in the Harlan State bank were illegal and without authority; that the bank officials knew or should have known this fact; that the assets of the bank had been swelled to the amount of such illegal deposits, and that the county was therefore entitled to take the funds out again before the general creditors received anything. The county also intervened.

On the other hand, it was claimed that the action of the county supervisors in approving the bond of the bank, in which it was recited that a resolution making the bank a county depository, estopped the county and the treasurer from setting up the illegality of the deposits, even though such a resolution had not in fact been passed.

Before the passage of the depository law all deposits by county treasurers in banks were illegal. The depository law made an exception to this rule, but by doing this it strengthened the force of the law in cases not excepted. The law imposing the conditions under which a county treasurer may deposit the county funds in a bank is mandatory.

OBJECT OF THE LAW.

In reaching his decision Judge Smith holds that the object of the legislature in requiring the passage of a resolution by the Board of Supervisors and recording it before county money could be deposited in a bank was to leave no possible chance for the deposit of county money in unsafe banks through the cupidity or self-interest of the treasurer, and that to sustain the claim of the bank that the treasurer and county are estopped would be to defeat the very intent of the law in this regard. It is also held that the county was not shown to have represented to the bank that the law had been complied with and that in no conceivable way could the bank have acted on such representation, if made, to its injury. It received the county money, had the use of it without interest and is asked to pay it back without interest. The bank officials were charged with a knowledge of the law, and that he could only make deposits of county money after a strict compliance with the conditions imposed by the statute.

The Harlan State bank took no title to the county money illegally deposited with it, and if the actual money, checks and the like so deposited were still in the hands of the receiver, the county would be entitled to recover them. Having been merged in the assets of the bank, it is essential for the intervenors to show that the funds were illegally deposited, that the bank was charged with the fact, and in addition that the assets of the bank in the hands of the receiver are now swelled by reason of the transaction to the amount for which preference is sought.

It is ordered that a decree be entered in favor of the intervenor, A. Pritchard, treasurer, for the use and benefit of Shelby county, establishing his claim for the amount due as shown by the bank books, with 6 per cent interest from December 10, 1896, and awarding him a lien on all the assets in the hands of the receiver, except the proceeds of the bank building, on an equality with other preferred creditors.

Cadet Candidates Chosen.

The examining board selected by Congressman Hager to inquire into the qualifications of the numerous applicants for the vacant cadetships in West Point and Annapolis completed the marking of the examination papers yesterday and announced the successful candidates. D. H. Bowers of Guthrie Center received the West Point appointment and George A. Luxford of Defiance, who stood next highest, was named as his alternate. Bowers' average was 90 and Luxford's 87. George Meyers of Council Bluffs was the successful applicant for Annapolis and John Gilmore of Red Oak will be the alternate. The alternates will accompany the appointees to West Point and Annapolis, and in case they fail to pass the examinations required by the government the alternate will try for the places.

Young Bowers is a sturdy young American who will do credit to his state if he gets the final approval of the West Point examining board, but physically he is not the splendid athlete his alternate is. Dr. Thomas, the examining surgeon, pronounced young Luxford to be the most perfect specimen of vigorous young manhood he had ever examined. Meyers is a Council Bluffs boy who has stood high in his classes in the High school and has been foremost in all athletic sports connected with the Field club and High school field days.

Blue Monday.

Washing, in the way of labor and expense, as well as time, reduced to a minimum. The convenience of the Victor machine and the White Rose soap, made in Council Bluffs, at 1695 West Broadway, can be seen on exhibition at 534 Broadway, next to Nonpareil office. You are cordially invited to come and see for yourself.

A few more desirable spaces for tents inside the plaza at Manawa. Telephone 365.

ST. FRANCIS' ACADEMY GRADUATES.

Seven Young Women Receive Diplomas and Leave the School.

The graduating exercises marking the close of the school year took place at St. Francis academy last evening. The large hall in the building was densely packed by the friends of the young women who are finishing their education. The class numbered seven. Six of them were in the regular course and the seventh completed a post-graduate course. This was Miss Stackhouse of Davenport, who has won considerable distinction as a writer of rhyme. The hall was beautifully decorated with flowers gathered from the conservatory and gardens connected with the institution and the walls were covered with pictures, drawings and paintings and other works of art wrought by the pupils. The graduates were: Anna Wickham, Elizabeth Dohaney, Mary Guilfoyle, Genevieve Murphy, Katherine Hughes and Mary Morris. The program presented by the young women was a most brilliant one. The literary portion of it follows:

Class Motto—"Esto Praecellens".....Miss Genevieve Murphy
Essay—"Home Beacon Lights".....Miss Mary Guilfoyle
Poem—"If Hearts Were Wills".....Miss M. Agnes Stackhouse
Essay—"My Native Land".....Miss Katherine Hughes
Essay—"Class of '97".....Miss Elizabeth Donahey
Essay—"Peace in Power".....Miss Margaret Morris
Valedictory—"Shall We be Lost in the Crowd?".....Miss Anna Wickham

At the close of the program the diplomas were conferred upon the graduates. Medals were also conferred upon Katherine Kirby, Helen Hughes and Nellie McSorley, who took the business course.

Tomorrow evening the graduating exercises of St. Joseph's Catholic school for boys will take place in the same room.

The doors of the academy were thrown open yesterday afternoon and the public invited to call and inspect the art work of the pupils. The walls of the parlors, class rooms, reception hall and the hallways were almost hidden by the canvasses and other kinds of art work. Many of the pieces were greatly admired for their originality and artistic merit.

DISTRICT W. C. T. U. CONVENTION.

Three Days' Session Opens in the First Baptist Church.

The district convention of the Woman's Christian Temperance union began in the auditorium of the First Baptist church yesterday. The attendance was quite small at the opening session, but during the day it was largely increased. The convention will continue three days, and the last two days are expected to be very interesting. The work was begun yesterday by devotional exercises, led by Mrs. Crandall. Mrs. Wind delivered an address of welcome, which was responded to by Mrs. Curtis of Atlantic. The local committee on arrangements has prepared an excursion to Fairmount tomorrow afternoon. The program for today's exercises follows:

10 A. M.—Promise meeting, led by Mrs. Henry DeLong; reports of local unions; address of welcome, Mrs. Wind; response, Mrs. McElroy, Lewis, Ia.; discussion of department work; paper, "Needs and Opportunities of the Union," Mrs. Greenleaf, Atlantic, Ia.

Afternoon—Devotional meeting, led by Mrs. Abbie Bliss, Red Oak; department reports; musical exercise, local Ladies' Temperance association; paper, "Why Do I Belong to the Woman's Christian Temperance Union, and How Can I Best Advance Its Interests?" Mrs. Mosely, Atlantic, Ia.; paper, "Benedict Home," Mrs. Macey, Harlan, Ia.; also a paper on the same subject by Mrs. Woods.

Evening, 7:30—Devotional meeting, led by Rev. T. T. Thickstun; music; recitation, Mrs. Fales; paper, "Social Purity and Rescue," Mrs. Jewell, Lewis, Ia.; music; paper, "Why Not More Time for Temperance Work?" Mrs. McElroy, Lewis, Ia.

Chapin-Seeley.

Mr. Lucius Chapin and Miss Male Seeley were married yesterday at 9 a. m., at the residence of the bride's mother, Mrs. Helen E. Seeley, at 208 Fourth street. Dr. John Askin performed the ceremony. The wedding was attended by only the immediate relatives and friends.

Mr. Chapin has lived in Council Bluffs for the past eight years while holding a position in the Union Pacific headquarters. He is now located at Salt Lake City with the Oregon Short Line. Miss Seeley has lived here all of her life. Miss Fannie and Mr. Henry Chapin, sister and brother of the groom, came from their home in Decatur, Ill., to attend the wedding. Miss Stanchfield, a girl friend of the bride, came also from her home in Creston for the same purpose. The rooms were tastefully decorated, green and pink being the prevailing colors. A wedding breakfast was served, which lasted until shortly before the time for the departure of the Union Pacific train for the west. Mr. and Mrs. Chapin will spend their honeymoon traveling through the mountains, and will be at home after August 1 in Salt Lake City.

We want all the good farm loans we can get; 6 per cent interest and a small commission. No delay for the money. We want your fire and tornado insurance on farm, town or city property. Best of companies represented. Lougee & Lougee, 235 Pearl street.

REFUSES TO GIVE UP THE BONDS.

Ottumwa in a Tangle Over a Duplicate Issue of Securities.

OTTUMWA, Ia., June 23.—(Special.)—The city of Ottumwa is in an interesting complication with a firm of brokers which acted as agents in the sale of $35,000 funding bonds. The bonds were floated at 5 per cent. Recently the city found purchasers for the bonds at 4½ per cent. New bonds were issued and the old ones called in, the firm of Harris & Co. of Chicago taking the ground that the bonds as issued were twenty-year bonds and were not yet due, and refused to give them up. The city council secured advice from legal authorities that at the time at which the original bonds were issued no municipal paper was legal except it were made optional. Harris & Co. did not agree with this construction of the law, and have presented their interest coupons for payment. The city promptly refused the payment, and declared the bonds annulled. Both issues of $35,000 are now out, as the city had already issued the new bonds and sold them to the First National bank of Chicago. Harris & Co. expect to sue in New York, where the bonds were purchased, for the payment of the interest and the establishment of the legality of their bonds.

VIOLENT WIND AND RAIN STORM.

Three Inches of Water Falls in Fifteen Minutes at Cedar Rapids.

CEDAR RAPIDS, Ia., June 23.—(Special Telegram.)—One of the worst storms that has visited this city for twenty years came up from the west shortly before 2 o'clock this afternoon. Nearly three inches of water fell in fifteen minutes. Hundreds of shade trees were blown down and broken to pieces and many trees twelve inches in diameter were torn up by the roots. Many windows in business houses were blown in and wires of all kinds were broken. The large steel smoke stack of the power house of the street railway company was blown down and no cars were running during the afternoon or evening. Many persons were slightly injured by broken glass. Crops suffered severely and rye and oats fields were battered to the ground.

Suicide Follows a Wife's Scolding.

CEDAR RAPIDS, Ia., June 23.—(Special Telegram.)—John D. Kucera, an aged Bohemian, committed suicide last night by hanging himself to a cherry tree. The body was not found until today. Yesterday, while intoxicated, his horse ran away and when he went home his wife scolded him. This made him angry and caused him to take his life.

Killed by Lightning.

JEFFERSON, Ia., June 23.—(Special Telegram.)—During a storm this morning Willie Hogan of Grand Junction was killed by lightning and several persons on the street knocked down and stunned. Considerable stock was also killed.

PAYING UP TAXES PROMPTLY

South Dakotans Are Busy Settling Their Assessments.

STATE TREASURY FEELS THE IMPETUS

State Auditor Reports a Much More Favorable Showing Than Was Made Last Year at This Time.

PIERRE, S. D., June 23.—(Special.)—The state auditor's office reports a much more favorable showing for the May 31 call of taxes this year than for last year. The call this year, with a 4 mill levy, has brought over $100,000 into the treasury, as against about $98,000 last year, with a levy of 4.7 mills. Considering that the levy is a smaller one, and the amount returned larger, would show that the people of the state are paying up much better than they did last year. When the people are paying their taxes before they absolutely must, with the improvements in property which are being made all over the state, and the reports of the class of business which the traveling men who work in the state report, this state certainly has no reason to complain of general conditions. Either of these alone is a pretty good indication of business conditions, and when taken all together they show that South Dakota is in better shape than are many of the older states.

Girl of Sixteen Elopes.

CHAMBERLAIN, S. D., June 23.—(Special Telegram.)—Much surprise was occasioned today by the discovery that Lee Henegar, county auditor, and Miss Hattie Dent, daughter of a prominent cattleman living here, had eloped. They drove to Pukwana, eight miles east, yesterday morning and took the train there for Woodman, Wis. The father of the girl opposed the proposed marriage and the young couple took advantage of his temporary absence at his Medicine Creek ranch, thirty-five miles northwest of here, to elope and get married. The girl is only about 16 years of age, which fact prevented marriage in this state and made the journey to Wisconsin necessary.

Off for Firemen's Tournament.

VERMILION, S. D., June 23.—(Special.)—The team of the Vermilion fire department left for the Madison tournament yesterday. They number twenty-one, as follows: H. A. Malley, chief; Charles Crane, D. B. McCapes, John Carpenter, Jesse Whiteside, William Ginn, William Partridge, Patrick Sullivan, George Jordan, Byron Payne, Oliver Johnson, Albert Burkland, Chauncey Vaughn, Jack Williams, Orville Washburn, Frank Wright, Charles Keiser, Philip Burkland, John Johnson, Wallace Cusick, Patrick O'Neil. The team will enter six events in the hose and hook and ladder contests. Several single events will also be entered.

Wool Men Raise Objection.

PIERRE, S. D., June 23.—(Special.)—The wool men from the unorganized counties, which are included in the bills for the consolidation of counties, which passed the legislature last winter, are not at all pleased with the plan of consolidation as provided for. They take the position that it is not at all fair that they should be deprived of a vote on a question in which they are so vitally interested. Most of them were under the impression that they would be allowed to vote upon the question, and feel very bitter in regard to the manner in which it will come up.

Two Men Claim the Building.

VERMILION, S. D., June 23.—(Special.)—A Main street store building is the bone of contention between William Hadley and A. Hallam. It is the property of Hallam, and Hadley, who owns the lots, claims it has become a fixture. Last night he forcibly broke open the back door and took up his quarters therein. Today representatives of both parties are in possession with closed doors.

Fifty-Nine to Graduate.

VERMILION, S. D., June 23.—(Special.)—Graduating exercises of the Clay county schools are to be held at the opera house June 24. The class numbers fifty-nine. Dr. H. K. Warren, president of Yankton college, lectures before the class.

The Teachers' institute of this county closes its sessions June 26. The total attendance is about 130. Of these seventy-five are teachers.

Inspecting Militia Companies.

PIERRE, S. D., June 23.—(Special.)—The following order has been issued from the adjutant general's office:

Colonel A. S. Frost, military secretary, will, without delay, proceed to Yankton, Elk Point, Worthing and Sioux Falls, at which places he will inspect companies C, D, I and B. He will also check up the property returns of said organization. He will notify company commanders of the date of his visit at their respective stations.

Bright Prospects at Sturgis.

STURGIS, S. D., June 23.—(Special.)—This city has a good report to make in favor of the "good times coming." During the last ten months fourteen new business firms have opened up in the city, twenty new residences have been built, three new business blocks, an electric light plant, a $40,000 court house and a $6,000 race course and fair ground, and the prospect is just as bright for the future.

Stockmen Fined for Contempt of Court

CHAMBERLAIN, S. D., June 23.—(Special Telegram.)—Halsten and Erick Fodness, prominent citizens of this county, stockmen were arrested and fined for contempt of court because they attempted to stampede a herd of cattle seized by an officer on attachment.

Woman's Board of Inspection.

PIERRE, S. D., June 23.—(Special Telegram.)—Governor Lee today appointed as the woman's board of inspection of state penal and charitable institutions Mrs. S. V. Arnold of Ipswich, Mrs. Anna Simmons of Huron and Mrs. O. H. Smith of Dell Rapids.

National Surety Company Admitted.

PIERRE, S. D., June 23.—(Special Telegram.)—The National Surety company of New York has been granted authority by the Insurance department to write insurance in South Dakota.

Two Lawyers Admitted.

PIERRE, S. D., June 23.—(Special Telegram.)—In the examination of applicants for admission to the bar by the supreme court today Burton D. Gamble of Ipswich and Harvey C. Alford of Huron were granted certificates.

Heavy Shower at Pierre.

PIERRE, S. D., June 23.—(Special Telegram.)—Three-fourths of an inch of rain fell last night over this part of the state.

FAIL TO FIX RESPONSIBILITY.

Coroner's Jury Returns a Non-Committal Verdict.

CHEYENNE, Wyo., June 23.—(Special.)—The coroner's jury, which has been investigating the affray between Charles S. Erswell and a party of soldiers from Fort Russell, finished the case after having examined upward of fifty witnesses. The jury declined to take any responsibility in the matter, and returned a verdict that Private Daniel McCrimces came to his death by a gunshot wound at the hands of Charles S. Erswell. Erswell will be given a preliminary hearing Wednsday, and will probably be tried during the present term of court. The soldier friends of McCrimces have raised a purse and engaged Attorney Hugo Donzelmann to assist Prosecuting Attorney Breckons in the prosecution of Erswell. Mooney, the second soldier shot by Erswell in the fight, is failing, and it is believed will not recover.

Firebugs at Cheyenne.

CHEYENNE, Wyo., June 23.—(Special.)—Cheyenne is afflicted with firebugs. Early Monday morning a residence building which has been unoccupied for some time was set on fire and destroyed. The building was owned by O. W. Wheeler of this city, and was insured for $300, the loss being $700. A few hours later a residence building owned by Margaret Henne was fired. The fire department succeeded in putting out the fire before much damage was done.

GORDON AGAIN THE COMMANDER.

Succeeds Himself as Leader of the Confederate Veterans.

NASHVILLE, June 23.—The morning trains brought several thousand people to the city to attend the annual reunion of the United Confederate veterans. General John B. Gordon delivered his address at the business meeting. He prefaced it with an announcement of his intention to resign as general commanding, but there were cries of "No" from all parts of the hall. General Gordon proceeded:

Mr. President and Comrades: Permit me with a few words to return the commission with which you have honored me for eight years by unanimous vote. Within the next few hours you will elect my successor. When this duty is performed by you I shall gladly take my place by those untitled heroes who so grandly bore the battle's brunt in the work of war.

After referring to the rapid growth of the organization during the eight years since he was elected, from ten camps to more than 1,000, he said:

It is an army still, Mr. President, but an army for the bloody work of war no longer. Its banners no longer bear the flaming insignia of battle. Its weapons no longer flash defiance to the foe nor deal death to opposing ranks. Its weapons are now the pen without malice, the tongue without aspersion and history without misrepresentations. Its aims are peaceful, philanthropic and broadly patriotic. Failing after the most desperate defensive struggle in human annals to establish their cherished confederacy, these high-souled sons of the south offer this record of devotion as the noblest pledge of their fealty to freedom and of their readiness to defend the republic of their fathers.

In conclusion, my comrades, let me hope that the wise conservatism, the spirit of magnanimity which is always the brightest gem in the crown of courage, will mark your career in the future, as they have in the past.

General Gordon was unanimously re-elected general commander of the United Confederate veterans.

At the business meeting this afternoon it was voted to meet in Atlanta next year.

A resolution commendatory of the reign of Queen Victoria was voted down and the resolution of praise for the queen's jubilee was defeated.

The great parade occurs tomorrow. Ten thousand men will be in line. All the states forming the southern confederacy will be represented in the order in which they voted to secede and after passing through the principal streets of the city the procession will proceed to the centennial exposition grounds, where a jubilee meeting will be held in the auditorium. Captain J. B. O'Brien will be master of ceremonies and the speeches will be restricted to five minutes each. At night the veterans are expected to witness a splendid display of fireworks.

WEEKLY PACKING HOUSE OUTPUT.

Killings of Hogs Are Again on a Very Large Scale.

CINCINNATI, June 23.—(Special Telegram.)—Tomorrow's Price Current will say: Western killings for the week reach a total of 450,000 hogs, compared with 415,000 the preceding week and 370,000 last year. From March 1 the total is 5,815,000 head against 5,240,000 a year ago. Prominent places compare as follows:

City.	1897.	1896.
Chicago	1,950,000	1,795,000
Kansas City	962,000	776,000
Omaha	500,000	381,000
St. Louis	353,000	367,000
Indianapolis	275,000	263,000
Cincinnati	195,000	185,000
Milwaukee	257,000	247,000
Cleveland	173,000	133,000
Ottumwa	175,000	128,000
Cedar Rapids	134,000	92,000
St. Joseph	101,000	72,000
Sioux City	79,000	73,000

BOTH SIDES GATHER TESTIMONY.

State and Defense Prepares for Preliminary Hearing of Kestners.

Both the state and the defense in the case against the Kestners, who are charged with the murder of Officer Tiedeman, are preparing for the preliminary hearing of the defendants, which is set for next Tuesday. It is believed that by that date Officer Glover will have sufficiently recovered from his injuries to be able to be in attendance and give his testimony. The officer is still at the Clarkson hospital.

The detectives who are working on the case profess to have gained additional testimony against the prisoners. None of it is of a startling nature, but it is said to be quite important. No trace has been discovered of any shotguns the Kestners must have had if they are the guilty parties, but it is stated that the police are in possession of evidence that such weapons were seen in their hands prior to the tragedy. The police, however, refuse to divulge the alleged facts that they have.

The defense is also gathering testimony in favor of the defendants, although it is stated by their attorney that there will be no defense necessary to the indefinite evidence the police are said to have.

ASSIGNMENT BY JEWELRY FIRM.

Mortgages Given Covering the Entire Stock of Goods.

The jewelry firm of Michaels and Fred H. Meyer, doing business at 411 South Fifteenth street, made an assignment Tuesday for the benefit of their creditors. Chattel mortgages covering the stock of the firm were given as follows: Hammel, Reglander & Co. of New York, $590; Harry Greenblatte, $400; the D. F. Briggs company, $275; Illinois Watch Case company, $62.75; H. C. Lindol, $62.17; Martin Copeland & Co., Providence, R. I., $298.33; Potter & Buffington, $350.18; New Columbus Watch company, $17.46; Aiken, Lambert & Co., $112; Herman J. Meyer, $3,550.

Martin Copeland & Co. and Herman J. Meyer commenced suits in replevin in the district court to gain possession of certain of the goods in the hands of the firm.

Defective Plank on Viaduct.

There is some difficulty between the city and the contractors on the Eleventh street viaduct in regard to the oak planking that is being used in the repairs. The repairs to the iron work are practically completed and the contractor is now planking over the roadway. The matrial is four-inch oak plank and much of the lumber that has been delivered has been condemned by the inspector. It is asserted that a good deal of it is so badly checked that it is not fit for use. The contractor takes issue with the inspector and has refused to throw the condemned plank out. City Engineer Rosewater made a thorough examination of the lumber yesterday.

Injured by a Falling Pump.

RIVERTON, Ia., June 23.—(Special.)—While Mrs. James Redd was assisting her husband raise an iron pump and piping from the ground the chain hold suddenly gave way and the pump fell to the ground, striking her on the top of the head, inflicting a very serious wound. She is in a very serious condition at this writing.

Clark Sentenced at Cheyenne.

George A. Clark, the sewing machine agent who was arrested in this city a few days ago on telegraphic orders from Cheyenne, where he was wanted for issuing worthless checks, was taken back to Cheyenne and pleaded guilty to the charge. He was sentenced to pay a fine of $40 and to be imprisoned in the county jail for sixty days.

CASTORIA

For Infants and Children.

The fac-simile signature of Chas. H. Fletcher is on every wrapper.

Most Complexion Powders have a vulgar glare, but Pozzoni's is a true beautifier, whose effects are lasting.

SOUTHSIDERS DEMAND ATTENTION.

They Want More Sidewalks and Better Paving.

There was a good attendance at the meeting of southsiders held at 1259 South Sixteenth street last evening. Improvements to South Sixteenth street were discussed and it was resolved to at once make vigorous efforts to obtain the improvements desired. Attention was called to the lack of a sidewalk on the east side of Sixteenth street from the viaduct to William street and the need for better paving in the street. The city engineer and the city attorney were censured for alleged obstruction to such work of improvement. The following committee was appointed to wait upon the city council today to urge that body to order the work: Ferd Streitz, Fred Brunig, John Yirak, Joseph Quinlan and Frank Swoboda.

Councilman Stuht was present and pledged his aid to the work of improvement of South Sixteenth street. He said before another year rolled around he expected to see the city have an iron viaduct replace the dilapidated wooden structure that now carries Sixteenth street over the railroad tracks.

It was resolved to continue frequent meetings of the southsiders and to constantly importune the city council for the needed improvements until they should be finally secured.

Delegates to League Convention.

The John L. Webster Republican club last night elected the following delegates to the meeting of the State League of Republican Clubs: J. H. Van Dusen, Carl Herring, John L. Webster, A. W. Jefferis, Hugh A. Meyers, Edgar Smith, John L. Kennedy, C. S. Dickey, Henry Morrow, E. J. Cornish and J. W. Battin.

The Russian-American Republican club selected the following delegates to the league meeting: M. Logasa, chairman; Philip Nathan, A. Wolf, I. H. Carroll, J. Simon, N. Marks, H. Goldstein and B. Harris.

Swimmers Are Arrested.

Numerous complaints have been made of late by residents in the vicinity of Cut Off lake about boys and men who use that body of water for swimming purposes. These persons are obnoxious because they do not provide themselves with bathing suits. Last night John Diamond, Jim Casey, Eugene Tracy and Myron Parsons were arrested at the lake on a charge of disorderly conduct. The boys were engaged in a foot race in full view of a number of persons who live near the lee houses.

Looking for a Man.

The police have been asked to locate some male individual who is soliciting without authority advertisements for "Hints on Entertaining," a book that is to be published by the Young Women's Christian association. The man has visited several places and it is believed that he intends to collect for the advertisements. The association has authorized two women and no men to solicit. The individual is described as being heavy set and wearing side whiskers.

HAVE YOU EATEN TOO MUCH?

Take Horsford's Acid Phosphate.

People impose on the stomach sometimes, giving it more than it can do. "Horsford's" helps to digest the food, and puts the stomach into a strong and healthy condition.

Houtz Inspects the Office.

J. E. Houtz of Lincoln, the newly appointed collector of internal revenue for this district, was a visitor at the government building yesterday. He said he expected to take charge of the office July 1. He was not prepared to say at this time who his deputies would be. He is not sure how far the civil service law applies to his office, and until this point is made clear he will make no decision as to appointments.

Terrible Accident—It is a terrible accident to be burned or scalded; but the pain and agony and the frightful disfigurements can be quickly overcome without leaving a scar by using De Witt's Witch Hazel Salve.

THE REALTY MARKET.

INSTRUMENTS placed on record Wednesday, June 23:

WARRANTY DEEDS.

M. E. Joy et al. to Emanuel Johnson, e½ of lot 10, block 7, Parker's add	$ 1,500
H. A. Rouse and wife to John Shanahan, n 30 feet of s 60 feet of lot 1, block 10, Corrigan Place	100
R. H. Birney and wife to L. E. French, lot 6, block 94, South Omaha	1
M. E. Brandhoefer and husband to H. A. Whipple, lot 3, block 2, Otis Place	50
Mary Barry to R. E. Cavanagh, se¼ tax lot 25 in 15-15-13	1,500
QUIT CLAIM DEEDS.	
E. W. Ticknor and wife to G. F. Cushing, lots 5 and 6, block 13, Orchard Hill	5
DEEDS.	
United States to John Haney, s½ nw¼ 28-15-10	.....
Same to same, n½ ne¼, same	.....
Same to C. B. Haney, n½ nw, same	.....
T. H. McCague, receiver, to A. L. Bergquist, n½ of lot 2, block 72, South Omaha	2,000
Sheriff to Truman Buck, lots 4 to 8, block 2, McCormick's 2d add	850
Master in chancery to W. E. Swentzel, lots 6 and 7, block 7; lots 5 to 8, block 8; lots 11 and 12, block 12; lots 3, 5 and 6, block 13, Wilcox's add; lots 1 to 4 and 13 to 16, block 21; lot 4, block 22; lot 5, block 24; lots 1 to 4 and 9 to 12, block 28, Wilcox's 2d add	11,000
Same to same, e 108 feet of lot 1 and lots 7 and 8, block 8; lots 5 to 12, block 14, Wilcox's add; lots 1 to 6, block 30; lots 1 to 4 and 13 to 16, block 31, Wilcox's 2d add	9,766
Total amount of transfers	$26,773

In battles by sea or land, the men of strongest bodies and clearest brains are the ones who win. In the battles of business life the conflict is none the less fierce and deadly, and the strong are victors.

In the pursuit of wealth many a man loses health—loses the power to en