

STAMPS ON NOTARY'S JURAT

Conflicting Practice Results from the Lack of Specific Information.

NEW CIRCULAR FROM THE COMMISSIONER

Mr. Scott Adds to the Literature on the Topic and Partially Clears Up One of the Doubtful Points.

There is a conflict in the rulings made concerning the stamping of certificates of acknowledgment to deeds, mortgages and in the present condition of affairs Collector Houtz advises that they be stamped as a pamphlet issued by the Treasury department, under date of July 21, and called "Treasury Decisions," there is the following ruling made by Commissioner Scott, in answer to an inquiry made by C. C. Montgomery, recorder of deeds, at Wilmington, Del.

The certificates of acknowledgment to deeds, mortgages, or other legal instruments, required to be stamped with a 10-cent stamp, as a certificate in addition to the stamp provided by law for the instrument itself. They are an part of the execution of the deed or mortgage, and are not covered by the stamp required upon such deed or mortgage.

County Attorney's Opinion.

A similar reply was given by Assistant County Attorney Day to a letter from County Clerk Haverly.

In consequence all instruments filed have borne, in addition to the graduated stamp tax for the instrument proper, one 10-cent stamp for the endorsement by the register or the clerk and another for the acknowledgment of the notary. But a circular has just come from the United States Treasury department, under date of July 21, giving the latest rulings of the Internal Revenue Commissioner Scott on this very subject. Section 42, page 117 of this circular, reads:

Certificates of acknowledgment of deeds and mortgages are not required to be stamped. The memorandum on the back of a deed or mortgage, made by the register or recorder, that the instrument has been placed upon record, is not a subject of taxation. It is not a certificate such as is contemplated by law. It is a brief note on the back of the deed or mortgage citing date of filing and date of recording.

And section 45 says: "The ordinary notary's jurat is not required to be stamped."

Mr. Crocker says he will not ask any person to put the stamps on the endorsements and notarial acknowledgments in the light of this decision, but if they want to be on the safe side, as the decisions are somewhat conflicting, they may do so.

Some Other Opinions.

What made the problem so perplexing was the peculiarity of the Nebraska laws coupled with the declaration by General Scholtes William B. Kelly of the Union Pacific that the language of the revenue act ought to govern transactions rather than any ruling of the internal revenue commissioner. Ex-Supreme Judge George B. Lake had also given an off-hand opinion to the effect that the courts would determine finally, not the commissioner, and that they might not pay much attention to what the commissioner had ruled. Judge Lake thought the certificate of acknowledgment made by the notaries would come under the law, though he was doubtful if the register's endorsement, and that they might not pay much attention to what the commissioner had ruled. Judge Lake thought the certificate of acknowledgment made by the notaries would come under the law, though he was doubtful if the register's endorsement, and that they might not pay much attention to what the commissioner had ruled.

Nebraska's Statutes.

He produced sections 2164 and 2170, pages 451 and 452 of the Laws of 1895, to show that in this state the endorsement on the deed is deemed a "certificate." The former section inferentially makes such an endorsement a certificate where it requires the register to use his seal on "all certificates except such as are required to be endorsed on the instrument filed for record in his office," and the latter section specifies what the nature of this endorsement shall be, as to the details of time when filed, etc.

Notes from the Courts.

Judge Sabaugh sentenced Alfred Thurlow, a wayward boy of South Omaha, to the reform school, yesterday. The Horn children habeas corpus case was continued by Judge Sabaugh until Friday at which time the judge is expected to be back from his Chicago trip. Jack Norton's gambling case was continued until Monday by County Judge Baxter, the record of which is in the hands of Kellenney and Louis J. Platt.

Notes from the Courts.

In the matter of the will of Jane E. Winchester, deceased, of New Haven, Conn., William B. Kelly, who has been appointed administrator with bond of \$1,500, Ida M. Boggs, special administratrix of the estate of George A. Boggs, has tendered her resignation to the probate court because she was married to John C. Wharton, the attorney of the estate.

Notes from the Courts.

On application of Mary E. Hayes, James J. Hayes has been restrained from disposing of his real estate and other assets pending the adjudication of her suit. He has also been restrained from taking any collection by her of the rent of said dwelling.

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INTERESTS RAILROAD MATRONS

Efforts of a Syndicate to Get Land in East Omaha is Annapolis.

CHICAGO GREAT WESTERN IS SUSPECTED

Reason for the Belief that President Stickney is Looking for Terminal Facilities for His Line in Omaha.

Officials of the Omaha terminal lines, and others interested in railway matters, read the report of the committee on the Chicago Great Western with considerable interest. The attempt of an unknown syndicate to get possession of twenty-nine acres of land near the river at the foot of Nicholas street has given rise to the report among railroaders that another railroad is seeking an entrance here, and this belief appears to be well founded by the few facts that are known.

The syndicate that is after the land is not the East Omaha Land company proper. Several of the men interested in the East Omaha Land company are also interested in the syndicate that is after the land. The syndicate is a separate organization, and is a very close corporation. Those who are connected with it are likewise very close-mouthed and say that premature publication of their plans would jeopardize their interests.

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LAW EFFECTIVE IN OCTOBER

Supreme Court Must Prescribe Rules for the Working of the New Bankruptcy Act.

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Clerk Hillis of the federal court has been notified from the office of the clerk of the supreme court, of the United States, that section 30 of the United States bankruptcy law of 1898, provides that "all necessary rules, forms and orders as to procedure and for carrying this act into force and effect shall be prescribed, and may be amended from time to time by the supreme court of the United States." However, the court had adjourned before the passage of this act, and will not be in session again until October 10. Consequently, no action can be taken by the court under the section before that date.

Federal Building Notes.

The custom house is in receipt of a large order of miscellaneous Chinese goods shipped from Hong Kong to Sing Lou Wing at the exposition. The internal revenue office has a large supply of 2-cent and 5-cent documentary stamps and all other denominations, with the exception of 4-cent, 15-cent and 31-cent stamps. James J. Ransom of Burlington, Ia., has begun foreclosure proceedings on a \$5,000 mortgage on land in Hamilton county, Nebraska, belonging to Rufus J. Smith.

The Union Pacific refuses, through their attorney, W. R. Kelly, allowed Annie Flanagan a judgment against them for \$1,500 in damages in the case of the broom making for \$5,000 for the death of her husband.

Assistant Postmaster Woodard was notified yesterday from Washington that the 200 1-cent, 500 2-cent, 500 3-cent, 200 4-cent and 200 5-cent stamps have been shipped to the Omaha office. The stamps will be on sale not later than Thursday.

Official notification has arrived at the Omaha postoffice of the granting of three extra clerks at the rate of \$50 a year each during the term of the exposition. An allowance of \$500 was also made to be added to the salary of clerks already employed.

Postmaster White of Cheyenne visited the new federal building Monday and expressed himself as greatly pleased with its construction and arrangement. Cheyenne is beginning work on a federal building. The contract for the building has not yet been completed during the term of office.

Andy Sawyer, one of the witnesses against William Ball, the Valley man under arrest for selling liquor without license, proved a rather amusing witness when giving his account of the justice of the peace during yesterday's session of the court.

Ball had been arrested on complaint of the village marshal, Peter Miller, and Justice of the Peace Stenglein had let him out on bail. The justice of the peace was looking for the justice of the peace, but he was not found. The justice of the peace was looking for the justice of the peace, but he was not found.

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WHAT THE WITNESS KNOWS

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BOSTON STORE RIBBON SALE

Today We Offer the Ladies of Omaha the Greatest Ribbon Sale

THAT EVER OCCURRED IN THE WEST

Entire New Lot Pinned on Sale Today—\$9,000 Worth Ribbon Remnants Pinned from a Famous New York Ribbon Dealer.

ON SALE TODAY—FIRST TIME

Never again will there be such a sale, all who possibly can should come today. 150 RIBBON TIES, 3 1/2 YARD. All the narrow ribbon remnants Nos. 5, 7 and 9, generally sold to the yard, all new bright colors, strictly all silk, at 35c yard.

All the 15c and 15c ribbons, all silk satin, all the fancy ribbons in remnants, at 5c yard, at 10c yard.

50c FANCY RIBBONS, 15c YD. We will sell all the 50c, fine double-faced satin, gros grain, moire and fancy ribbons in all the new shades and fancy effects at 15c yard. This is a phenomenal bargain.

We will sell all the 50c, \$1.00 and \$1.50 fancy silk moire, taffeta, gros grain and bayadere ribbons, in all the wide sash widths, at 15c yard.

70c RIBBON TIES, 50c. All the fringed ties in the highest class and highest cost ribbons that are made, two yard long and worth \$2.50 each, in plaids,