# THE OMAHA DAILY BEE: WEDNESDAY, JULY 5, 1899.

CURIOUS ACTIONS AT LAW the evidence on the ground that his client cently. He was called on to pass upon the was charged with smiting the other fellow affairs of a corporation which did not sur-Measures of Value Set Out in the Pleadings in Damage Suits.

rou.

FLIGHT OF FERVID FANCY LEGAL

Qualat Collection of Canses, Ranging from a Good Tooth to an American Queen, Which Courts Must Tackle.

If every allegation made in a pleading filed in court could be substantiated by the testimony the defendant population would be bankrupt of goods, choses in action and reputation in fifteen minutes. If everything court which deviates from the hopes of the parties litigant could be assembled as assets the novelists of the future would have material for a century of scribbling. Fortunately for all classes in court and out, ness." says the Chicago Chronicle, the speculations here indulged in will always remain mere speculations. The margins put up on them will never be increased by subsequent calls.

In court proceeding the verdict of the jury-prior to its delivery-is that indefinite comething known in algebra as "X," the unknown quantity. If not "X" then it is the fellow of the other letter of the alphabet which indicates to the student something he knows naught of and is expected to seek and find or fail in his examinations. Verdicts in most cases are neither founded on fact nor law. How they are reached by twelve men of average intelligence is something the wisest jurist in the world would shrink from telling. No man who has served on a jury can tell a connected story of how he himself and not the other eleven concluded to enter the verdict the court rolls show was entered.

There is every reason to believe that the person who penned the immortal line, "Truth is stranger than fiction," was prior thereto a party litigant in a court of record verity of his dictum when the verdict was no mere story writer would ever be able to spring his imagination to the flights to which twelve good men and true can soar. Therefore he was sore himself and discoursed feelingly and with pathos concerning truth and her marvelous garments. During a long trial a little bunch of evidence about the size of a spring potato lodges in the mental throat of the venireman. In each case this testamentary lumper is different, so that when the discussion commences each is digesting something the others never heard of. No wonder, then, that the combined result is startling.

But in the matter of pleadings extravagant values on articles or as measures of damages to person or goods are marked features. "Git a-plenty while you're a-gittin'," is the facts, motto of the suitor who essays to clip a coupon from the wares of an antagonist One excellent case in point was recently commenced in St. Louis. Teeth in the Missouri city are apparently very rare and consequently of excessive value, judged from the market prices in other cities. This applies to natural ivories and not to store teeth. But hearken to the yarn:

## Tooth-Puller in Court.

Miss Hulda Newell, spinster, of St. Louis In the county of St. Louis and state of Missouri, was possessed of one only evelooth of great beauty of form and dazzling white-But, nlas and alack! it became the ness. resort of certain infinitesimal germs and try, the husband, through a grizzled veteran ached mightily. Thereupon Miss Hulda visited the office of Dr. John A. Shober, who asserts his capacity to remove aches and restore teeth, etc. The lady put herself and her darling teeth in the hands literally of call for a divorce. In Indiana the lawmakthe dentist. Subsequently the maiden besought the aid of the circuit court in that, as she alleges, the dentist ruined the tooth so that it is of no use to her.

She also alleges that in filling the said tion. No divorce but an absolute on

with a spade, whereas the testimony dis- vive its birth long. A receiver was needed closed that he had no spade at all, but a to wind up its earthly career. The cour heard the evidence and patiently waded rickety, flat-bladed and harmless shovel. But the judge took a different view and of through a mass of documentary testimony, all of which demonstrated that the comcourse he held the high hand and won. "Oh, that's all right," urged the judge. pany never should have been turned out t It's all the same, spade or shovel, it makes the tender mercies of a cruel world. The court spoke as follows: no difference.

"But, your honor, there's as much differnce between spades and shovels as spades called 'congenital' insolvency. They are and clubs." "Oh, no; there is not. Now, in drawing at the moment of their creation and eke out to a spade flush if you catch a club you get

a precarious existence in an apparent effor bobtailed. But in leading at a bank it makes to solve the old paradox of living on the interest of their debts." no difference if you lead a spade or shovel, you get into the bank. Not so in draw, for The lawyer who appeared for the man such a deal would not enable you to cut who sued another for the killing of a dog

Some are afflicted with what may be

born insolvent, capitalized into insolvency

Thus the only recognized gem of royalty

MYSTERIOUS PACIFIC ISLANDS.

into the bank, but the bank would cut into waxed truly eloquent in describing the Now in the case at bar I can't see what difference it makes if the defendant drew to spades or shovels, he took the pot with a wallop on the occiput of the prosecutthe following burning words ing witness. A spade may be a spade-in fact, it always is. But for all present purposes a shovel can become a epade. The and it does not lie in the mouth of the de demurrer is overruled. Call the next witfendant to say he was a worthless cur, because it is in evidence before you that on

Over in Missouri a case was being heard occasion he offered \$5 for one of his pups." After such a peroration what could the \$150,000 on the French-Eversole feud, of wherein damages were asked, growing out of a railroad accident. A farmer's wagon ury do but find for the plaintiff and award was smashed by a train and the horses him heavy damages?

killed. There was a dispute concerning the It is fitting that when royalty goes acourting, willingly or dragged thereto by a fought for him without price. The wages method of the accident-if an accident can have a method-and the living witnesses rude plaintiff, that royalty should close up swore with fluency and diversity on all the the procession. Royalty in these United salient points. But it so happened that States is infrequent, but Gotham has a real, near the train was a youth with a camera. truly queen in Lavinia, monarch of the Hol-He had the snapshot fever very badly, and land dames. Now, her majesty has been seeing an accident was bound to happen he made a party defendant in court, dragged focused and snapped the case. He produced thither by a brother. Not satisfied with dehis picture and settled the matter. The manding money which this brother, John company did not make any effort to refute A. Dempsey, alleges he loaned to Queen Lathe salient evidence of the negative. In vinia, Johnny says cruelly that she is no rendering his decision the judge remarked: queen and that all the Dutch blood she can "To me it is a very comforting thought muster would not make a mosquito fat. and pleasing reflection that amid all the Queen Lavinia Hard Up. vicissitudes and pressing exigencies of rail-

Johnny declares with much heat that he new "blinds" before they get a chance to road damage suits they have never yet athas loaned his sister something over \$2,500. fire a shot. tempted to impeach old Sol. Perhaps they He also sues for \$3,000 which he says he were deterred by his shining reputation. At loaned her and that she used the money in fastening it against the sides of two trees any rate, from his serene seat in the heav giving the receptions and doing the tom and then cutting limbs well filled with leaves

ens, from his cairn on high, he still looks fool acts with which he is so much dis- and leaning them against the upper side of down upon the pigmy population of earth gusted. He is one of the family who has the pole. These "blinds" are usually conwith a perfectly just claim. He learned the with the same burning eye wherewith erstnot been ennobled by the queen, for her other structed about forty or sixty yards from while he gazed down upon Ananias that time brother, Guy, is called Sir Guy by the set the road and new limbs with fresh leaves read and the jury polled. Then he saw that he went in before the apostles and 'lied' to wherein her majesty has been wont to rule. have to be cut every three or four days, for the holy ghost."" John says the decoration she recently re-

### Justice a la Indiana.

Over in Indiana they do some queer things breast of a policeman at Carnarsie and is thus the "blind" could be detected. in courts of law. Justices of the peace can not an heirloom of any great house. He summon juries of gix men, half the usual says she has no money of her own and never allowance, to hear and determine matters had. He wants his hard-earned dollars back Even the lawyers who prosecuted Jim Howbetween warring neighbors. A case was once more and vows he will have them. brought before a rural squire wherein a father sued a son for a small amount. A in America is hauled into a court room to jury was sworn to try the issues and listened have her claims disputed and to answer to the Bakers, who employed them, have no with exemplary patience to the conflict of a suit instituted by a brother. Sad indeed, visible property subject to attachment. The evidence and then retired to deliberate. but uneasy lies the head that wears a crown Howards and Whites, on the other hand, are Four hours of wrangling followed and the is an old saying well accepted of royalty good people opened and bought pools on the and plebeian,

result. When the verdict was published the bets were declared off, for nobody had guessed within two dozen points of the

Some of Them So Small They Are Hard to Locate a Second Time. Much atention has been given of late, re "We, the jury, agree to find judgment for neither the plaintiff nor defendant and find ports the New Zealand Herald, to what we their wages (for they work at man-hunting that each pay half the costs," was what may call the strange case of on Sundays), to say nothing of the cost of Clipperton island. It is not more keeping them supplied with bacon and that sextet decided would be a fair thing. When the smoke cleared away and reason than three miles in circumference had returned as the hoosters came from and it lies in the western Pacific their trance it was held by all and sundry something like 800 miles west of Mexico. In as a piece of wisdom beside which that of the wide expanse of the Pacific ocean it As the Bakers are now practically bankthe fabled Solomon is puerile.

shows like a mere speck, so small as to be The next case is also of Indiana, but herein no jury participated. In Hoosierdom, as of no value, seemingly, save as a refuge for a few of the army of beachcombers "who elsewhere, juries do not come into divorce cases. This was an action for a divorce a vinculo matrimonil, as the youthful attor-

wandered far away" in the course of their downward progress. But the ownership of ney put it, brought by the wife against the Clipperton island has of late been claimed Corlo Baker, and Chris Jackson, Tom husband. Not to be behindhand in gallanby no fewer than four countries-Mexico, the United States, France and Great Britain of the bar, promptly came back with a cross -and when it is added that the island is a bill. The two of them alleged all and sunfavorite haunt of sea birds and that many dry the numerous grounds in the statutes tons of valuable guano are waiting to be and common law which, if established, would picked up the reason for this unwonted solicitude, even in an era of land-grabbing, ers decided many moons ago that if two ceased to be one it would be shameful to will be apparent.

Olipperton island is of interest in another compel them to keep it up. So they got direction. It is one of those numerous busy and piled up the reasons for separastretches of land set in the midst of the seas, sunny and otherwise, which, after their first

COST OF A KENTUCKY FEUD

Wads of Money Necessary for Cemetery Promotion in the Blue Grass State.

FIGHTING MEN HIRED FOR \$1 A DAY

The Baker-Howard Feud and Its Extensive Ramifications-Strange Phase of Life in the Backwoods.

ments of the Corsican vendetta, as so many able writers have tried to make it appear. happen to know that the Whites and Bakers were the best of friends when Gerrard Baker, a cousin to Tom Baker's father,

ent concerning this statement:

tucky attorney said to the Sun correspond-

enemies and the feud has none of the ele-

was waylaid and killed by John Wilson ten years ago. I was employed to defend Wilson along with Judge James Black of Barboursville. We found the Whites were the best friends the Bakers had and the feeling

against Wilson ran mountain high. It required three trials to dispose of the case. In the first two the juries hung. By this The Baker-Howard feud in Kentucky has now reached a stage where it is difficult to time every man in Clay county had formed manifold virtues of the deceased. He was predict the outcome. A correspondent of an opinion, as the trials were largely atno ordinary dog, as was shown by the evi- the New York Sun reports that the Howards, tended. A jury had to be procured from an

dence. The advocate delivered himself of with their allies, the Whites, are decidedly adjoining county for the third trial and we stronger than the Bakers, but the Bakers had the satisfaction of seeing our client "Gentlemen of the jury, he was a good and their friends are the more numerous acquitted, much to the disgust of the Whites dog, a fine appearing dog, a valuable dog, and they may be able to maintain a feudal and other friends of the Bakers. Some o these men even went so far as to abuse war against their enemies. Such a war, however, involves the expenditure of much Judge Black and myself in a violent manmoney. It is said on good authority that ner and they scored the judge for sending Fulton French and Joe Eversole spent about out of the county for a jury.

## Killed in Ambush

which \$100,000 was paid out by French, as "The feeling against Wilson was so strong he had to hire all his fighting men, while that he left Clay county and went to Madi-Eversole had many close relatives who son, where he lived until last year, when he came back to Clay county, and in less paid these "fighting men," as the actual than a month he was killed from ambush, fighters are called, was \$1 a day and presumably by John Baker, son of the man 'found." It came out in the testimony. he killed nine years before. Had he killed By "found" is meant guns, pistols and am-Wilson immediately after he was acquitted munition, with bacon and bread. These for murdering his father the Whites would men in squads of three build "blinds" along have rushed to his rescue, but, owing to the the highways traveled by their opponents changes of the past year, they were so and sometimes they wait for days before anxious to kill Bakers that when John any member of the opposing faction at-Baker was recently waylaid and shot to tempts to pass. It frequently happens that pieces the crime was at once laid at the a squad will "lay out" for a week or more door of the Whites."

with cyclones. and never see an enemy and they frequently Another leading attorney, who, for obvious have to move half a dozen times and make reasons, does not wish his name used, said: storm was: "The man who killed Tom Baker from Rev. White's house was the most nervy man I even The "blinds" are made by cutting a pole, knew. He must have known that detection meant death or a life term in the penitenits plans. But I refrained. I am not of a tiary, and I do not believe a man would take revengeful spirit, and then I know when I such an awful risk for money. There must have had enough of a good thing. I have been some higher controlling motive wouldn't ride a free horse to death under than money. Then who did it? Certainly any circumstances. I just accepted things man who dreaded Tom Baker and who as they were and made up my mind that wanted to get revenge on him. Tom was the hereafter the cyclone could not travel in the practiced eye of the mountaineer can most dangerous man on the Baker side and the same social set that I did. If it atceived is the star which once adorned the tell dead leaves at a great distance and scores of the Whites and Howards breathe tempted to I intended to cut it dead." casier. I believe the Whites are satisfied The Bakers have no money with which to now that Tom Baker can do them no harn pay men to engage in this sort of work. and will not try to kill any more Bakers unless the latter kill some member of the ard for killing old man George Baker were Conditions of Trade and Quotations

White faction." An attorney who had a long talk with Tom Baker a short while before he was shot said Tom made this statement to him: "If I can get two or three of the Whites

and Jim Howard I would be willing for them abundantly able to buy guns, pistols and to burn me at the stake." ammunition for their men and to provide The attorney said he believed Tom Baker them with provisions besides paying their was the coolest man he ever saw in the

wages. To equip 100 men with rifles and presence of danger; that the Howards and revolvers of 45-caliber would cost, with the Whites were aware of this fact, and for that necessary ammunition, not less than \$3,000. reason the most desperate chances were and it would require \$700 a week to pay taken to elay him, even while a prisone under the protection of 100 state troops. A man well acquainted in the adjoining counties of Laurel, Jackson, Leslie, Owsley, Therefore it would cost to carry on Letcher and Knott says that the killing of a feudal war with fifty men on a side for Tom Baker is just the beginning of the feud three months not much less than \$12,000. that his relatives and friends from these upper counties will come around into Clay rupt, and as none of their active friends and that some moonlight night they may will advance the necessary money, it looks have a pitched battle in the streets of Manas if this has come to be a one-sided fight. chester, in the same manner in which the have burst all bounds of habit and have With Wiley and Jim Baker in the Barbour-Strongs and Amys fought in Breathitt ville jail, old George Baker and Tom Baker county. dead, Dee Baker and his cousins, Bob and

# CHILDREN'S PLAYHOUSES.

Baker's brother-in-law, at London, twentyfour miles away, there seems little likeli-Little Houses that Can Be Set Up on the Lawn Without Trouble. hood of the Bakers offering a very stubborn There are made nowadays children's

portable playhouses that can be put up on the lawn of a house in the country. One house of this sort is six feet four inches RED RASPBERRIES-Per 24-pint case, \$2.75. wide, nine feet six inches lonog, and eight feet nine inches tall from the floor to the BLACKBERRIES - Per 24-quart case, \$2.50@3.00. point of the gable. This house has one door and one window. The window is divided ertically in the middle, the two halves

of fact the Bakers and White were the best cyclone. There is no reason why a cyclone weight, 405c; dry flint, Colorado murrain of friends ten years ago. A leading Ken- should attack me. I never said anything wool pelts, per ib., actual weight, 394c. should attack me. I never said anything mean of a cyclone, never criticised any of its

## Wool Market.

"The Whites and Bakers are not bereditary law; in fact, I always minded my own busi-

٩

me proper warning, had it said that at such

#### Foreign Finances.

and such a time it intended to make a visit and such a time it intended to make a visit to where I was inspecting the luxuriant timber growth of beautiful Wisconsin, I would have known what to do. I would that is closed at 59.57%. to where I was inspecting the luxurlant

have gone somewhere else and engaged in other pursuit while the cyclone was attending to its business engagement. I am no rival of the cyclone to be treated in this nanner. I didn't even bear it a grudge.

I steady today, but business was residential owing to the holiday in New York. Spanish is closed at 50.5745. BERLIN, July 4.—Business on the botrae today was quiet and steady. Coal shares advanced, but after the close of the botrae they declined. Transvaal railroad shares were easier. Exchange on London, 20 marks 235 pfrs. for checks. PARIS, July 4.—Prices on the bourse to-day opened firm and advanced, but subse-quently became inactive. Spanish is were strong on reassuring Spanish news. Rio intos were firm, despite the fact that the statistics were former. Kaffirs started heavy in spite of the Transvaal and purchases on London account, but closed higher than the lowest. Three per cent rentes, foll 15c for the account. Exchange on London, 25 lise for checks. Spanish 4s closed at 62. Nothing that I have done in my past life could be construed as having warranted a cyclone in taking umbrage at my presence when it came along. Had I been consulted in the matter I might have been willing to even have gone into business with the cyclone and given it pointers which would have been of advantage to both of us. "But," he said, "no fairness was shown

me. I was struck from behind, maliciously approached, defenselessly hurled to the ground, trod and spat upon and left to con-

Liverpool Grain Market

LIVERPOOL, July 4.-WHEAT-Closen Spot firm; No. 2 red, western, winter, ptocks exhausted; No. 1 red, northern, Duto be upright and square in my dealings CORN-Spot firm; American mixed, old, One of the last things Nye said of the

38.5540; Soft mini, Sas 5540; Receipts of wheat during the last three days, 321,000 centals, including 247,000 Ameri-can. Receipts American corn during the last three days, 40,600 centals. Weather cloudy and dry. "If I had wished to I might have struck back at the cyclone. I might have made myself disagreeable and caused a change in

London Stock Quotations.

LONDON, July 4 .- Closing: . 11%

BAR SILVER-Steady at 27 11-16d. MONEY-15-015, p.r. cent. Discount for short and three-months' bills, % per cent.

oil Market.

LONDON, July 4.-OILS-Linseed, 108 11/2d1 urpentine spirits, 318 11/2d. EGGS-Receipts large; good stock weak

> Manchester Textile Fabrics MANCHESTER, July 4 .- Cloths and yarns rm and dull.

# Running Down Bogus Dollars.

PITTSBURG, Pa., July 4.-United States secret service agents arrested five men here today on suspicion of being impli-

cated in a counterfeiting scheme. It is said that certain parts of the city have been flooded with bogus dollars and have been hoosed with bogus donars and the secret service men claim that the men under arrest know something about it. One of the prisoners is supposed to have spurious coin with a face value of \$1,500 but of the prisoner hidden within a few miles of Pittsburg. It is alleged that those who made th

coins sold it at the rate of \$7.50 for \$100 worth.

CANTALOUPE - Per crate, \$1.50@1.75; baskets, 85c@31.00. WAX BEANS-Half bushel basket, 65@75c. PEAS-Per basket, 50@60c. RADISHES-Per dozen bunches, 10c. TOMATOES-Per 4-basket crate, \$1.60@1.75. ONIONS-Home grown, per doz. bunches, according to size, \$@15c. BEANS-Hand-picked navy, per bu., \$1.50. POTATOES-Old stock, 20@35c; new po-tatoes, 60@65c per bu. CUCUMBERS-Per dozen, 35@50c. CELERY-Per dozen, 35@40c. FRUITS IT PAYS YOU TO BE WITH US. WE MAKE MONEY for our customers. APRICOTS-California Royal, per crate, 1.76/22.00. CHERRIES-Home grown, 15-1b. baskets, WE GUARANTEE Your PRINCIPAL 5 per cent per month dividend. We paid 15 per cent in May. Be in time to take advantage of July dividend payable August 1. Write for Pamphlet. BLACK RASPBERRIES - Per 24-pint "DO YO

H.R.PENNEY& CO.

turkeys, llve, 8c. PIGEONS-Live, per dozen, 75c@\$1.00. VEALS-Choice, 9c. FRESH WATER FISH-Catfish, per 1b. 12c; buffalo, per lb., dressed, 7c; white fish, 9c; lake trout, 8c; yellow pike, dressed, 9c; white perch, 6c; bullheads, dressed, 10c; black have, 6c; lack bass, 9c. SEA FISH-Haddock, 10c; blue fish, 10c; roe shad, each, 40c VEGETABLES. WATERMELONS-Texas, crated for ship-

it fle.

reamery, 16c.

CANTALOUPE - Per crate, \$1.50@1.75;

tooth he removed the void without taking away the accompanying ache. She is also desirous to show to the court that the treat ment has been of such a nature as to mar her beauty as well as cause her great mental and physical anguish. She believes in suing and asking for enough while about it, so she has laid damages in the sum of \$5,000 for that tooth. She will probably be satisfied with \$5 when the case comes to a finish in

the hands of a jury. Over in New Jersey, where trusts grow in the orchards and mosquitoes bite early and often, one little insignificant snap-shot camera brought woe and tribulation to the spoke as follows:

heart of a toller in the earth. The case presents a number of features of exceptional interest, in which the name of the lawyer for the defense plays a strong part. It is Swackhammer. No wonder the plaintiff lost support of this she has alleged all of the when a Swackhammer was handing him a few legal and scientific punches. Even if beneficent and considerate legislature, to the camera and the secret it revealed had say nothing of those which have come down not been in evidence it is difficult to de- to us through the canons and customs of termine how Joseph Hastings, the plaintiff, hoped to recover. In fact, he has not recovered from the shock yct.

Joseph introduced himself to Mrs. Phebe Osborn, a farmeress, as one mighty in shucking corn. Now, Mrs. Osborn was in need of one who could separate the yellow and but little. clinging ears from the parent stocks, so she

fell upon Joseph's neck and besought him to go forth into her fields and labor and she would compensate him therefor. So Joseph mere denial of the allegations, has seen fit went forth. But he labored slothfully, as one who laughs at the weakness of his boss. He betook him to the field, indeed, but he procured somebody to carry forth one large. comfortable armchair. Therein he reposed his manly form and languidly pulled the corn from the stock.

It befell that the farmeress is a good business man and took naught for granted. She did not go forth into the field to see, but she caused an agent to do this for her. The result was that when Joseph drew nigh. smilling and confident, asking for his pay, he was met with frowns, objurgations and a flat refusal. Thereupon he hied him to Plainfield and brought suit for \$196. He delivered to the court that he had worked

a certain number of days in the chill winds decree. and had received no pay. Then Mr. Swackhammer became interested. He produced udge suavely. a photograph of Joseph taken as he reclined negligently in the armchair.

ablished the truth of every allegation in Joseph was aghast and astounded. He our cross bill," said the veteran. knew his own likeuess and he was unable "Your submission is quite correct to refute the accuracy of the camera, neither Brother B.

could he deny with success that he had "I see but one way out of the maze, slothfully performed his duties. The jury, continued the court with a merry twinkle being of the farming element-both sides in the tail of his eye. "I am satisfied a desired this-concluded that corn shucking divorce should be granted. To take sides with an armchair as an accompaniment was in the case and give it to one party would no good, so the twelve good men and true be to throw opproblum on the other party laughed at Joseph and gave him the sack. To give it to the other would produce the even the gunny sack for the catching of jack same result. Both stand convicted of utter snipe by the fitful light of the lantern, recklessness concerning the vows they Joseph went higher and was thrown down swore when they stood before the preacher again with a mighty fall. Mrs. Phebe Os- and I am loath to give one the benefit of horn, farmeress, won in a walk. a doubt that does not exist. I will make

Somebody asserted once upon a time that it a blank decree without favor to either. a spade is a spade and not a shovel or ham- It is, therefore, considered and adjudged mer or crosseut saw. Relying upon this that the bonds of matrimony heretofore adage, which is frequently met in the law existing between blank and blank be disreports, a brilliant attorney called the solved. Now, you two go over to court's attention to a startling variation clerk there and each of you pay his own between an indictment and the proof. The costs. Then get out of my court and don't indictment set forth that the defendant in come back again." a rude and angry manner and of his malice The two attorneys sat in trances for

aforethought, with intent to do great bodily space. Then the veteran grinned at the harm, did smite the said blank in and upon youth and the youth grinned back. "It's a the body, to wit, the side of the head, with draw," quoth the veteran as he linked arms one certain deadly weapon, to wit, a spade, with his young friend. then and there being held in the hands of celebrate the victory. We'll have to shake him, the said, etc. When the prosecuting it off to see who wins." attorney adduced his evidence it was learned that the implement used was not a spade at all, but a shovel.

Probably as caustic a commentary on the subject of corporations as was ever made The defending counsel saw liberty before

over there. discovery, for many years elude all en-

livorce of the same absolute kind.

In support of these contentions he

has adduced testimony which the court is

he has made seems to be established. He

divorce a year for a few years to come.

The record shows that thirty divorces

should be granted where the court is em-

powered to grant but one. How shall we

"Well, your honor," said the youthful

"Undoubtedly, Mr. S.," responded the

"Your honor, I submit that we have es-

"Let's go out and

Congenital Insolvency.

lawyer, trying his first and last case, "I

think my client is clearly entitled to a

settle it, gentlemen?"

onstrained to believe. Every allegation

wife.

The Court's Decision. deavors to locate them again. It has now The case was heard. Witness for both been, as it were, nailed down in one parsides swore with fluency. It was give and ticular spot in the ocean-that is to say, its take from the first round. No parry or duck exact position has been finally determined was made by either side, the attorneys struggling rather to land a knockout regardless

of searching for it and settling an doubts of the damage done to their respective prinas to its existence-and the only thing recipals. The judge sat on the bench biting his finger nails and grinning grimly the while. He had tried many a case, but this is another island about 400 miles southwest one broke the record. The court broke the of Clipperton and rich in the same deposits record in announcing his decision. He that make that place worth possessing, for which adventurous miners are at this mo-"This is a most remarkable case. Here

ment looking. is a wife who despairs of a life of harmony As late as July last a vessel named the with her husband. She has brought a suit for a divorce a vinculo matrimonil, in various grounds for divorce provided by a the common law. If she had established in evidence one of these charges it would be error or else that some strange seismic phemy duty to grant her the decree. But she has proved every one of the list, and therefore would be entitled to one divorce a year for the next fifteen years. This serves by the fact that another 'Frisco captain loto complicate the record and aids the court

"To proceed, the defendant in the original colony is still on the island, shipping guano bout with Charley Wooten, in which the petition, the busband, instead of filing a in their own schooners, manned by numbers latter was so badly wounded that he gan of their own party, to the leading ports on never recover. Sid is one of Bev White's to file a cross bill, wherein he demands a the Pacific slope of North and South Amer-He ica. has re-enforced his plea by charges just as extensive and various as those of the

late been made with the object of wresting raged for twelve years and cost between this valuable secret from the handful of men in whose possession it is and of partici- to the French faction, and have the reputapating in the spoils and one of these days we will no doubt hear of a sanguinary fight too, would be entitled to one decree of for the supremacy between the present colonists and a party of marauders, Although vary considerably, they all agree that it exists some where about 400 or 500 miles southwest of Clipperton in a low coral atoll covered with the richest of phosphates. The place also has its legends of pirates' treas-

> ures, which may or may not have had any foundation in fact. One of the expeditions of recent date which have been fitted out to look for the island was the Vine expedition

That vessel's owner claims to have secured his knowledge of the place from an old sea chart among his belongings which told of a She had sworn in court at Barboursville that small island in the southern Pacific not down Will White, who was shot and killed by home in Hudson, where his humor served guano.

# No Truckling. Detroit Journal: The horse thief was de

"I blame my early training for my unhappy fate!" he should, glaring fiercely into the stern faces of the vigilantes. "I scorn to truckle to popular sentiment by blaming Mark Hanna!"

So the hardened wretch died, as perhaps he deserved to die, judged by the rugged standards that obtained in this crude western community. th

# Business in Chicago.

Some Chicago men carry on at the same ime two or more different lines of business. Sometimes these combinations are ness. Sometimes these combinations are laughable. Over the door of a store in Wells street, relates the Tribune, is a sign which announces "Wholesale Popcorn and School of Magic." In the window of an office in Madison street is an anouncement that within are to be had "Books on Love and Poultry Raising." A South Side hu-morist has a placard in his basement win-down which reads: "Lunches Put Up and Carpets Put Down."

"What might have been"-if that little cough hadn't been neglected-is the sad re-flection of thousands of consumptives. One

lished lot of pistol and rifle users is seldom seen. Many of them have been under opening back on hinges at the side edges fire in mountain fights, and not a few of The door has a glazed sash in its uppe them have been wounded in open enpart, and it has also a lock and key. counters. Sheriff Bev White, who is the These houses are built in sections and recognized leader of the Howard faction they can be put up in different ways, that since Wilson Howard was killed by the is, they can be set up with the door in the by warships sent out for the express purpose Bakers, began his career as a pistol user front and the window in one end of the when he was not more than 15. There was house, or they can be set up with both the a general fight in Manchester, and a man door and the window in front; the sections

"Armies" in the Field.

The Howards and Whites have already not

less than fifty men well armed and equipped

who are at their command. Many of these

men have been sworn in as deputy sheriffs

by Sheriff Bev White, and a more accom-

maining now is that the question of owner- was stabling his stepfather in the back when ship should be settled. It happens that there Bey, who had a small 38-caliber pistol, began blazing away at the knife user, but only hit him once. Before this fight was over Bev's stepfather and a man named Stivers were killed and another man badly wounded. Bey

not paid their fees and they sued for the

money and got judgment, only to find that

bread.

resistance just now.

scaped unhurt. Daugh White, the circuit clerk, who is now also acting in the capacity Moonlight left Altata, Mexico, on a voyage of deputy sheriff, is one of the most dein search of this latest mysterous island termined pistol users in Clay county. When and spent fifty-two days of fruitless labor he and Bey White's brother, John G. White, toward this end. Her captain failed to find got into the fight with the Hackers and this house, under the roof, are shingled; the the place and fearing that his provisions Littles at the court house door several years side walls are of matched pine, as is also and water would run short, returned home ago Daugh was shot down by a bullet in the floor, which is made in two sections. to report that either the rough charts of old the hip fired by Jack Hacker. Jack tried Captain Martin and his associates were in to go up the steps as Daugh sank to the

a few minutes. floor, but before Hacker had reached the A portable playhouse of this size nomenon had caused the lost isle to disap- first landing Daugh slightly raised himself \$73. pear years ago, perhaps, for all that mortal on his elbow and shot and killed Hacker, portable playhouses with two rooms, the soul knows. Spice is added to this romance his body falling on the landing. econd room being a kitchen extension; and Sid Baker, the son-in-law of A. Ballard portable playhouses are made with three

cated the place definitely a year or two be- Howard, has also smelled power from a rooms, the added rooms in this case being a fore and found a small colony there, which hostile pistol. It was he who had a shooting kitchen and a bedroom. A three-room play house costs about \$225. All sorts of furniture in suitable small sizes can be bought for the furnishing of "deputies." George Chad and Doc Hall are these houses, including chairs and tables also "deputies." They came from Perry and settees and various other articles in Quite a number of expeditions have of county, where the French-Eversole feud wood and in wickerwork, handsome little desks, and everything needed for parlor or thirty and forty lives. The Halls belonged library or dining room- and there can be tion of being dangerous fighting men. Felix Davidson, another "deputy," is a desperate fighter. He will fight with either pistol or every sort of cooking utensil, and there knife. On one occasion he cut David Bolin

the stories told about the unknown island in eleven places with a large knife, for which he was heavily fined. Dave Chadwell, still another of Bev White's "deputies," was in a four-cornered fight in which one man on either side was killed, and it is said that Chadwell got his man on that occasion. Dill Holland, one of White's negro 'deputies," shot a woman on the streets

of Manchester through both thighs. The Latest Shooting.

Bev White's latest shooting affair was in the yard of Mrs. Lucas, the old woman who captain named Martin, above referred to, kept hotel, but was forced to leave town who died some years ago and left an old and go to the country. It was last summer. on the regular charts, enormously rich in Tom Baker, had, in her presence, threatened to kill all the Bakers. This testimony

was given at 'Tom Baker's trial, and it was only a few days later that Bev White came to her house and abused her, saying she had sworn to lies about his brother. She denied she had told a falsehood, and then Bey began shooting in the air above her head. The old woman is as courageous as a Spartan mother, and she told White he could not scare her by shooting off a revolver. He then began firing into the ground near her feet. She went into the house and shut the door and he fired through the the latter town. Between New Richmond windows several times. He then fired several bullets into the postoffice, which is in one corner of Mrs. Lucas' yard, one of

which broke one of the lock boxes. For shooting into the postoffice and destroying grass and as attenuated. government property he was reported to the United States district attorney by Jason Bowling, and this is no doubt the reason was to secure an interview from Nye, and why Bowling ran away from home last week and went to London. The Whites had been had to say of his experience. He subsetold that he had informed on Beverly, and quently redressed the interview and incorthey were preparing to make it disagreeable

time of the cyclone it was copied far and for him There has been a great deal written about wide and was regarded as one of the choice the Whites and Bakers having been enemies bits of humor of the genial wit his man. He rose and filed a demurrer to was made by a judge of great learning re- Minute Cough Cure cures coughs and colds. for more than a half century. As a matter "I never did anything," he said, "to a

STRAWBERRIES-Oregon, \$2.75 TROPICAL FRUIT.

G. A. DEW & CO. 22 Exchange Place TROPICAL FRUIT. PLUMS—California per crate, \$1.50; Trag-edy plums, \$1.7562.00; ORANGES—Mediterranean sweets, \$4.75; LEMONS—California, fancy, \$4.50; Mes-sina, fancy, \$6.0035.50; BANANAS—Choice, crated, large stock, per bunch, \$2.5062.75; medium-sized bunches, \$2.0062.25; CALIFORNIA PEACHES—Per box, 90c@ \$1.00;

FRUITS.

sider the futility of any effort on my part

OMAHA GENERAL MARKET.

on Staple and Fancy Produce.

BUTTER - Common to fair, 11/212c

choice, 12@14c; separator, 18c; gathered

POULTRY-Hens, live, 74@Sc; spring

chickens, 15@16c; old and staggy roosters,

ive, 31205c; ducks and geese, live, 607c;

\$1.00. HIDES. TALLOW, ETC.

are interchangeable. There is provided for HIDES. TALLOW, ETC. HIDES—No. 1 green hides, 7¼c; No. 2 green hides, 6¼c; No. 1 salted hides, 8½c; No. 2 galted hides, 7¼c; No. 1 veal calf, 8 to 12 lbs., 10c; No. 2 veal calf, 12 to 15 lbs., 8c. TALLOW, GREASE, ETC.—Tallow, No. 1, 3½c; tallow, No. 2, 3c; rough tallow, 1½c; white grease, 2½@3c; yellow and brown grease, 1½@2½c. SHEEP PELTS—Green salted, each, 15@ 75c; green salted shearings (short wooled use with the house a veranda roof, which is made in sections of the same width as the sections of the house itself, so that these veranda sections can be put up together, making a continuous veranda along one side of the house, or they can be put up one over a door and one over a window. There SHEEP FELTS-Green saited, each, 1960 75c; green saited shearings (short wooled early skins), each, 15c; dry shearings (short wooled early skins), No. 1 each, 5c; dry fint. Kansas and Nebraska butcher wool pelts, per lb., actual weight, 405c; dry flint, Kansas and Nebraska murrain wool pelts, per lb., actual weight, 304c; dry flint, Colo-rado butcher wool pelts, per lb., actual are made, also, for use with these playhouses, if desired, outside blinds and screens for doors and windows. The gable ends of



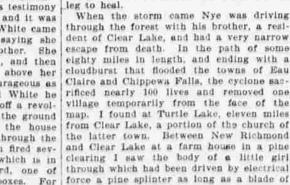
BOARD OF TRADE. Direct wires to Chicago and New York. Correspondents: John A. Warren & Co.

1



bought for kitchen and other uses the most complete outfits, including stoves of the most modern description and equipped with can be had also little washing machines and ironing boards and so on. The playhouse, in fact, whether it be of one room or more, can be furnished as completely as a house of ordinary size. BILL NYE'S CYCLONE. Remarks of Boomerang William After the Disturbance.

Fifteen years ago a cyclone came out of the depths of St. Croix lake, swept over New Richmond and Clear Lake, Wis., in the blistering heat of an afternoon and after it had passed the searchers found Bill Nye in the windfall of a pine forest suffering from a broken leg. He was conveyed to his to lighten the weary days of waiting for the



The first work that I did upon the storm says a writer in the Chicago Times-Herald. porated it in his permanent work. At the