

AGAINST COUNTY'S CLAIM

Judge Munger Hands Down Important Decision in Federal Court.

PRACTICE IN CERTAIN CASES CHANGED

Holds Upon Which Suit is Brought Against the County Need Not Be Submitted to the Commissioners.

In the case of Farson Leach & Co. against the county commissioners of Douglas county, Judge Munger yesterday rendered a decision which is of great importance in this class of cases, as it changes the practice in the federal court in the method of bringing such suits.

Farson Leach & Co. sued the county and the county commissioners for \$2,722 damages for the failure of the authorities to deliver to them \$150,000 bonds of the county in 1898, this amount being the probable profits on the bonds and \$500 deposit made by the company, which was retained by the county. The answer of the county was to the effect that the company had refused to accept the bonds when tendered and, for a second defense the county set up that, under the statutes of the state of Nebraska, before a county can be sued the bill upon which suit is brought must be submitted to the county commissioners for consideration and an appeal to the district court taken from the action of the commissioners. Plaintiff's demurrer to the answer and the demurrer to the second defense was sustained.

In his opinion filed in the case the judge holds that the provision of the statute requiring bills to be presented to the county commissioners simply designates the method of instituting suit in the courts of the state and has nothing to do with the remedy; that the federal court is not bound by this statute and that therefore the demurrer to the second defense should be sustained.

UPHOLDS RAILWAY'S CONTENTION.

Company Can Take a Case from State to Federal Court.

The right of a railroad company to remove a case from the state court to the federal court is sustained by Judge Munger in an opinion rendered in the case of Mary A. Walters against the Burlington, which was brought into the United States circuit court on an order of removal from Greeley county, Nebraska. In this case the plaintiff sued for \$5,000 damages for the death of her husband, Edward Walters, who was killed in a wreck on the road. The opinion deals at length with the status of corporations organized in other states which file articles of incorporation with the secretary of state of Nebraska in compliance with the constitutional provision. It is held that the state which grants the original charter is the state of which the corporation is a citizen; that, strictly speaking, a corporation is a citizen of no state, its citizenship depending upon the residence of the persons forming the corporation, and that it is presumed that no state will grant charters to persons other than citizens of that state. There are two cases pending in the court affected by this decision, and one of them will be continued pending the result of an appeal to the United States circuit court of appeals.

Court Notes.

Jesse Ross and Anna Hunt were married by Judge Vinsonhater Thursday.

The Board of County Commissioners will meet at 10 o'clock Saturday forenoon.

Fred J. Benedict, a wholesale grocer of Hastings, has filed a petition in bankruptcy in the United States district court. He lists his liabilities at \$2,992.50 and his assets at \$2,954.

The suit brought by the Douglas County Agricultural Association to compel the county commissioners to make an appropriation for the county fair will come up in Judge Keiser's court Saturday.

Judge Vinsonhater dismissed the contempt proceedings against Jacob Keyser on account of the court having no jurisdiction in the case. Keyser was charged with having concealed certain mortgaged property.

Pimples and Freckles on Face. Your druggist will refund your money if Pazo Ointment fails to cure you. 50 cents.

DAYLIGHT TRAINS FOR SPIRIT LAKE

Okobohi and Arnold's Park.

The Chicago, Milwaukee & St. Paul railway company has just placed in service daylight trains between Omaha and Spirit Lake, Okobohi and Arnold's Park. Going the train leaves Omaha at 7:15 a. m. and arrives Spirit Lake at 4:15 p. m. Returning the train leaves Spirit Lake at 6:45 a. m. and arrives Omaha 3:55 p. m. This is the best service that has yet been offered over any one road. Round trip tickets, good returning until October 21, \$10.75.

City ticket office, 1504 Farnam street. F. A. NASH, General Western Agent, 1504 Farnam Street, Omaha.

Grand Army Encampment at Chicago

August 25 to 29. Half-fare tickets.

Via The Northwestern Line. Special cars and Accommodations. 1401 and 1403 Farnam St.

Half Fare East.

Tickets on sale via "The Northwestern Line" to Chicago and return at HALF RATES, August 25 to 29, good till September 20.

1401-1403 Farnam street.

High grade Buckeye Manufacturing company bikes, ball and roller bearing and solid rubber tires, at cost to close out stock. Call quick and get a bargain. Omaha Implement & Transfer Co., 9th and Jackson.

Special Train to Stanton, Neb.

To the Saengerbund-Fest, leaves Webster street station, Omaha, at 8 o'clock Sunday morning, August 19. Cheap tickets on sale at 1401-03 Farnam street and Webster street station.

After reading many testimonials from Omaha citizens about Cramer's Kidney Cure "I took two bottles and am now cured," says W. S. King, manager Swift's market, South Omaha.

Two Dollars to Detroit, Mich., and Return

Plus one fare, August 25, 26 and 27, via "The Northwestern Line." Inquire at the large city offices, 1401 and 1403 Farnam street.

A Grand Opportunity

To increase your knowledge of the country. Half fare to Chicago and return via "The Northwestern Line," August 25 to 29. Good till September 30 returning.

Hon. John T. Catthers and Dr. Christie will speak at the league meeting Saturday evening, Millard hotel. Sixth ward republicans have the meeting in charge.

Old Records to Be Looked After.

Next week some of the office force in Clerk Broadhead's office will be detailed to sort the old records in the attic vault at the court house and arrange them in their proper order. At the present time many of the old records are lying promiscuously about on the floor of the store room above the clerk's office. It is the intention of Clerk Street to have every book and paper in the store room indexed and placed in the attic vault so that there will be no difficulty in finding papers when wanted.

DIED.

MCOMBER—Sallie H., in her 66th year, on Wednesday at 3 o'clock p. m. at her home in Jefferson street.

Funeral Saturday, August 19, at 2 o'clock p. m., from family residence. Friends in view.

MUSICAL FESTIVAL PLANS

Concessions for Sale of Refreshments Let to Visiting Nurses' Association.

An unavailing effort was made yesterday at the meeting of the executive committee of the musical festival to advance the price of single reserved seats from 10 cents to 15 cents by providing that when reserved seats were purchased in books of twenty they should be 10 cents, but in any smaller number they should be 15 cents each. The motion was lost by a vote of 3 to 3 on a vote to reconsider the price formerly established.

All concessions for the sale of refreshments and souvenirs and whatever else may be offered for sale in the tent were let to the Visiting Nurses' association. One of the conditions upon which the concessions were let was that they should be in operation at the Sunday concert.

An effort was authorized to secure police protection to prevent people having carriages from blocking up the adjacent streets and enjoying the concert without paying the price.

It was decided to light the tent and surroundings with thirty arc lights and 500 incandescent lights.

The committee on buildings and grounds tomorrow, the grounds will be rolled on Monday and graveled immediately afterward; the fence will be erected next week, the main entrance and bandstand before the end of the month and the big tent will be up by August 27.

CITY'S CREDIT STANDS HIGH

Bond Sales This Year Bring Big Premiums—Comparisons with Four Years Ago.

In the fall of 1896, when the Bryan boom was at its height, \$28,000 worth of Omaha bonds were sold at a premium of 10 per cent. The city received for the time being \$30,800. The bonds were sold at a premium of 10 per cent. The city received for the time being \$33,880. At the same time \$3,500 worth of grading bonds drawing 5 per cent interest were sold at par.

During the present year \$25,000 worth of 4 per cent paving bonds brought a premium of \$1,947, and another \$25,000 lot of the same bonds brought a premium of \$1,450. Street improvement bonds to the amount of \$72,000, drawing 4 per cent interest, yielded a premium of \$1,196. Within the last few weeks \$50,000 worth of sewer bonds sold at a premium of \$1,010.

Good Fishing.

Spirit Lake, Okobohi, Lake Washington, Waseca, Eagle Lake, River Falls, Solon Springs, Rice Lake, Bayfield, Ashland, Gogebic, Watercrest and numerous lakes near St. Paul and Minneapolis.

These are all good fishing places and are quickly and comfortably reached by the North-Western line.

Cheap rate excursions August 10-21, September 7-21. Limit October 21, 1900. City ticket office, 1401 and 1403 Farnam street.

To Boston and New York

Via Lake Shore & Michigan Southern railway from Chicago, daily—Fare mail \$3.30 a. m. arrives New York next morning at 10:00; New York and Boston special 10:30 a. m. arrives New York next day 1:30 p. m.; Boston, 3:00 p. m.; New York and New England express 2:00 p. m. arrive Boston 4:45 p. m.; New York 6:00 p. m. next day; Lake Shore limited 5:30 p. m. arrive New York 6:30 p. m.; Boston 9:05 p. m. next day; New York express 9:00 p. m. arrive New York second morning at 5:30.

"Book of Trains" gives full information. H. S. GILES, T. P. A., Chicago. F. M. BYRON, G. W. A., Chicago.

Omaha Tent and Awning Co., tents, awnings, canvas goods, 11th & Farnam. Tel. 853.

Samuel Burns announces the arrival of (King Charles) ware, Plink and green.

Advertisement for The Burlington Station, featuring the Burlington Route logo and information about Yellowstone Park excursions. The text describes the scenic beauty of the park and the convenience of the train service, including ticket prices and departure times.

Advertisement for Union Pacific, titled "IF YOU WANT... A... QUICK AND PLEASANT TRIP". It promotes the company's train services to various destinations like Denver, San Francisco, and Salt Lake City, highlighting the ease and comfort of the journey.

TELL SOME BIG FISH STORIES

Omaha Party Returns from an Excursion to Fall River, Idaho.

SAY IT'S A PISCATORIAL PARADISE

Mr. Kelly Gets So Absorbed in His Pursuit of the Flabby Trout that His Companions Think Him Lost.

J. E. Kelly, Judge Ives, M. A. Hall and W. H. Gaines are back from a trip to Idaho in search of fish and recreation, which will be remembered by Mr. Kelly as the only time when a reward was offered for his apprehension.

The party went to the Fall river, on the southwestern border of Yellowstone park, and if the fish are as large as the fish stories that are now being rehearsed, the spot is an ideal one for trout. Just below the falls is a 300-foot stretch of water which teems with speckled beauties and they are so hungry that they will bite at anything. One morning Mr. Kelly went down to the pool and when he reached the spot found that he had no line and reel with him. He tied two six-foot leaders to the end of a rod and then was afraid to use it for fear of losing the rod. He therefore cut a four-foot piece of ironwood and, using that combination, landed five trout, the largest weighing two pounds. The last trout broke the leaders, so he had to quit.

On this trip he stayed out so long that the others became alarmed at his absence. He started back to the camp, but could not locate it, so started down a bridle path toward a mill. As he turned a corner in the road he met the miller riding at full speed. As the fisherman came in sight the miller halted him, saying:

"Do you know that you are lost? Your friends are up at the mill and each one has offered me a \$3 bill if I find you."

The stories told by Mr. Kelly have come to the attention of the fishing party of the federal building and it would not be surprising if a paradise for trout visits that piscatorial paradise in the latter days of August.

CHICAGO AND RETURN \$12.75.

Chicago and Return \$12.75. On August 25, 26, 27, 28 and 29 the Chicago, Milwaukee & St. Paul railway will sell round-trip tickets Omaha to Chicago for \$12.75.

City ticket office, 1504 Farnam street. F. A. NASH, General Western Agent.

W. W. Horne, linen buyer for Thompson, Belden & Co., has gone to New York to purchase goods.

Soap 1-4c per cake

We shall place on sale tomorrow morning 5,000 cakes of toilet soap at 5c per box, containing 4 cakes. This is a chance of a life time to get a good toilet soap, for a price net to nothing. Boxes containing 1 gross, \$1.75.

We sell 50c Society Hygienic Soap at 25c cake.

We sell 4711 White Rose Soap at 12c cake.

We sell Woodbury's Facial Soap at 15c cake.

We sell Packer's Tar Soap at 15c cake.

We sell Jap Rose Soap at 7c cake.

We sell Small Juvenile Soap at 5c cake.

We sell Peary's Unscented Soap at 12c cake.

We sell Big Bar Imported Castile Soap at 25c.

Write for new catalogue.

Sherman & McConnell Drug Co.

COR. 10TH AND DODGE, OMAHA.

APPREHENDS INSANE MAN

Sheriff Donovan of Troy, Kan., Thinks He Has a Demented Omahan in Custody.

Chief Donahue received word from the sheriff of Doniphan county, Kansas, Thursday night that an insane man, whose name is believed to be A. Markel and who says he lives in Omaha, was apprehended while wandering aimlessly through the streets of Troy. He is described as well dressed, apparently 20 years old, five feet seven or eight inches in stature, hair and eyes dark. He is wearing a three weeks' growth of beard. The man refused to give his name, but the name "A. Markel" was found on his underclothing. His spectacles bore the imprint of an Omaha firm.

The name A. Markel does not appear in the city directory and inquiries made thus far by the police department have failed to disclose the identity of the wanderer. The theory most in favor is that he has escaped from some insane asylum.

CURE FOR CATARRH.

To Prove the Superior Merit of This Remedy, Trial Packages Will Be Mailed Free to Sufferers.

Knowing the great prevalence of catarrh and the suffering it produces, Dr. Blosser has determined that every sufferer shall have an opportunity of testing his remedy, which has many such unprecedented successes in curing this distressing disease. Dr. Blosser has such confidence in the merits of his catarrh cure that he will send a free trial sample by mail, post paid, to every applicant. He does not ask any one to buy the remedy without having tested it. Write to Dr. J. W. Blosser & Son, 201 Broad street, Atlanta, Ga.

WANTED—Bids for all concessions on grounds of Fremont Driving park, Fremont, Neb., during race meeting carnival week, September 12, 13 and 14, 1900. Address, BRUCE E. SMITH, Sec.

Summer Resorts.

For a book describing the cool, pleasant, beautiful summer resorts of Wisconsin, situated on the line of the Chicago, Milwaukee & St. Paul Ry., address or call on F. A. NASH, General Western Agent.

Ladies' Dress Skirts 3.50

—These Skirts are unlined.

—Made of best gray homespun.

—Are used in place of plique.

—Are light weight and cool.

—They are most stylish skirts shown.

—We have but few to close out.

—Prices have been \$7.50 and \$8.50.

Today, Choice for \$3.50

KSCOFIELD CLOAK & SUIT CO.

1510 Douglas St

When They Tell You

These Pluggers—to go to a certain drug store to have your prescriptions filled, don't you do it. "Doc" gets a commission. Then it's charged to you by the druggist. It's the old game—you no doubt have heard of it. It's called "TWO PLUCK ONE."

Cramer's Kidney Cure 75c

Stuart's Dyspepsia Tablets 40c

Bromo Quinine 15c

Pe-Ru-Na 75c

Pier's Peppermint Cure 25c

Wine of Cardui 75c

Bar-Ben 40c

Ajax Toilet Soap 25c

Syrup of Figs 25c

Gen. Catarrh Powder 25c

Birney Catarrh Cure 25c

Pyramid Pile Cure 40c

Hood's Sarsaparilla 75c

Cuticura Soap 25c

Miles' Nervine 75c

Pierce's Prescription 1.00

SCHAEFER CUT PRICE DRUGGIST

S. W. Cor. 10th and Chicago.

ACHING TEETH

Do not suffer the torture of "Tooth-ache," but have them extracted without pain, by using VITALIZED AIR, or if they can be saved, first-class.

Extracting 25c

Vitalized Air 50c

Gold Crowns 50c

Taft's Philadelphia Dental Rooms, 1517 Douglas St.

HAYDEN'S GROCERY BARGAINS.

Shrewd buyers will take advantage of this sale.

Peanuts, per quart 2c

Lemons, each 1c

50 lb sack Highest Patent Flour, per sack \$1.10

10 lb. sack Pure Graham Flour 19c

10 lb. sack Finest Granulated Corn Meal 10 1/2c

10 lbs. Breakfast Rolled Oats 19c

3-lb. cans Mitchell's Grated Pineapple 7 1/2c

Tall cans blood red Salmon, only 12 1/2c

Large bottle new White Onions, Sweet Pickles, Sour Chow-Chow or Mixed Pickles, per bottle only 8 1/2c

Quart cans Pure Honey Drip Table Syrup 7 1/2c

3-lb. cans Baked Beans, in the tomato sauce 7 1/2c

Columbia Brand Evaporated Cream, per can 7 1/2c

Fancy Large Italian Prunes, per pound only 6 1/2c

Large Glasses Pure Fruit Jelly 7 1/2c

8 bars White Russian or Diamond C Soap 25c

Large bottle Pure Tomato Cats-up, only 10c

3 packages Pure Corn Starch, for 10c

Bulk Laundry Starch, per pound only 4c

Yeast Foam, German Yeast, Etc., per package only 2 1/2c

Oil or Mustard Sardines, per can 4 1/2c

Fancy Large Evaporated Moor Park Apricots, per pound 10c

Pineapples Sliced in heavy syrup, per can only 12c

Fancy Western Creamery Butter, per pound only 20c

Choice Separator Creamery Butter, per pound only 18c

Fancy Full Cream Cheese, per pound 10c

Neufchatel Cheese, Durham brand, only 2 1/2c

Choice Santos Coffee, per pound 25c

Family Java and Mocha, private growth, only, per pound 18c

Sun Dried, Basket Fired or Uncolored Japan Tea—for iced tea or family use—only—per pound 39c

3-Crown Layer Figs—per pound 5c

PURE FOODS AT BARGAIN PRICES.

HAYDEN BROS.

Advertisement for Hayden's Sensational Bargains, featuring ladies' fine hosiery and men's suits. The text lists various items and their prices, emphasizing the quality and value of the goods.

Advertisement for Driving Park, Matinee. The text describes the race events and the excitement of the day, including the driving park and the matinee performance.

Advertisement for THIS STORE QUILTS. The text promotes the sale of good shoes, highlighting the quality and variety of the footwear available.

Advertisement for The Famous Queen Quality Shoe Now \$1.98; black and tan. The text describes the features and benefits of the shoes, including their durability and style.

Advertisement for Ladies' Dress Skirts 3.50. The text describes the features and benefits of the skirts, including their style and quality.

Advertisement for THE HOWE, 1515 Douglas St. The text describes the features and benefits of the shoes, including their style and quality.

Advertisement for JUDGE GORDON VS. BABY. The text describes the features and benefits of the shoes, including their style and quality.

Advertisement for Arnold's Sterilizer. The text describes the features and benefits of the sterilizer, including its effectiveness and ease of use.

Advertisement for J. A. FULLER & CO. CUT PRICE DRUGGISTS. The text describes the features and benefits of the drugs, including their quality and value.

Advertisement for ACHING TEETH. The text describes the features and benefits of the dental services, including the pain relief and quality of the work.

Advertisement for HAYDEN'S GROCERY BARGAINS. The text lists various grocery items and their prices, including peanuts, lemons, flour, and other staples.

Advertisement for HAYDEN BROS. The text describes the features and benefits of the shoes, including their style and quality.

Advertisement for Refrigerators. The text describes the features and benefits of the refrigerators, including their durability and efficiency.

Advertisement for Men's Clothing. The text describes the features and benefits of the clothing, including the quality and style of the suits and shirts.

Advertisement for 56789. The text describes the features and benefits of the clothing, including the quality and style of the suits and shirts.

Advertisement for BOYS' TWO-PIECE SUITS. The text describes the features and benefits of the suits, including the quality and style of the jackets and trousers.

Advertisement for CHILDREN'S ALL WOOL BLOUSE SUITS. The text describes the features and benefits of the blouses, including the quality and style of the fabric and design.

Advertisement for HAYDEN'S MEN'S \$6 SHOES AT \$1.97. The text describes the features and benefits of the shoes, including their style and quality.

Advertisement for WOMEN'S \$4.50 SHOES AT \$1.85. The text describes the features and benefits of the shoes, including their style and quality.

Advertisement for HAYDEN BROS. The text describes the features and benefits of the shoes, including their style and quality.

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