

Walking Skirts

style walking skirts, \$5.00 to \$10.00.

price. Not very many, but very good and very pretty styles.

We close Saturdays at 1 p. m. during July and August.

of prayer and have as much faith in its and the wind changed to the west. Garfulfillment as the humblest citizen. softened and a realization of his sins be special prayer for rain.

It was asserted that no invitation to at . o'clock this morning. The temperature at tend the services at the First Congrega- this point throughout the last week has tional church had been received. Gov- been over 100 daily, with no rain to relieve ernor Savage said several days ago that the heat. Wheat harvesting is nearly comhe intended to attend the meeting of the pleted. The average yield in this vicinity Seven-Day Adventists.

Eight Fatalities from Heat.

William Ottens, living at 926 North Eighth street, was stricken down by the intense heat this morning at 9 o'clock. Two hours later he expired. He was 69 years of age and very heavy in weight. Like all fleshy people he has suffered acutely for the last month and the protracted period of high temperature brought him to his end.

Mr. Ottens was at home when he felt at once called, but nothing could be done from Roberts' undertaking rooms.

the list of heat victims to eight.

PRAYER IN OTHER PLACES ing.

In Beatrice a Little Shower is Quick to Pollow, but Most Places Continue Hot.

J. L. Randolph, who lives on South feed. Eleventh street, had a little trouble with M'COOL JUNCTION, Neb., July 26.—(Spe whole family and then himself. Chief continues. A light local shower recently five tons of ice to the poor of St. Louis. Ashenfelter was notified and placed a is the only rain since July 4. The Blue insane and he was given his liberty.

GRAND ISLAND, Neb., July 26 .- (Special.)-The proclamation of Governor Savage, asking the people to pray for rain and this evening, Bishop McCabe of Omaha as-Methodist Episcopal church on the North side. In the First Methodist Episcopal \$1,500 were secured to wipe out the church | tatoes which sell at \$1.20 a bushel. Local In addition to the great danger to the crops

Another light shower fell in this city last rain fell, about one-half inch being retrical display accompanied the showers. At can live like kings on what they have.

Pacific section force, was overcome by heat government instrument made this record. yesterday afternoon. It was the second Several prostrations from heat have octime within a week that he had been over- curred, but none serious. Many opinions visited by hundreds. come. The day was the hottest of the are expressed as to the damage to crops. The government instruments Some experienced farmers say that corn SOME FEW CLOUDS IN SIGHT showed 111 at 4 o'clock.

TRENTON, Neb., July 26.-(Special.)-Many farmers are cutting up corn for feed, claim that the corn is badly damaged in as it has been dry so long they are dis- various parts of the county. couraged. Several farmers are experimenting to kill off the hoppers by scaking a quantity of bran in water and adding paris green, sugar and arsenic. This is distribsted over the field and kills a great many by their eating it, carrying it to others and live hoppers eating the dead ones. Some use the hopperdozzer with good effect, catching several bushels a day. The farmers were busy cutting their grain when these would have been more effective. A few tubes of African locusts have been received, but no report made. A small red insect is working destruction on the hoppers in some parts of this locality. I gets under the wings of the hopper and eats its way into the body and kills it. Great numbers are found dead from this

GENEVA. Neb., July 26 .- (Special.) -- Yestorday was a record breaker, getting to 108 during the afternoon. Clouds arose toward evening and a few sprinkles fell

Dintigured Sixin

wasted muscles and decaying bones. What havoe! Scrofela, let alone, is capable of all that,

and more. It is commonly marked by bunches in the neck, inflummations in the eyes, dys-pepsia, catarrh, and general debility.

It is always radically and permanently Hood's Sarsaparilla Which expels all humors, cures all erup-tions, and builds up the whole system, whether young or old.

lood's Pills cure liver tils; the non-trritating a

only cathartic to take with Blood's Sarsapari

in Black Cheviot

New styles, in light weight material, made unusually pretty, corded flounce effect, perfect fitting-not every tailor can make a correct hanging walking skirt-good tailoring costs-but it certainly pays to buy a good walking skirt, as it is the most useful of all outing garments. Prices for good

DRESS SKIRTS-All our handsome silk and wool dress skirts are now reduced in Heaviest Rain of the Year Sonks the

PETTICOATS-In black mercerized cotton goods-cut extra wide and full—the \$1.50 kind, Saturday at \$1.00.

BLACK TAFFETA WAISTS-Extra bargains for Saturday morning's trade. Prices \$3.00, \$3.75 and \$5.00 for the \$5.00, \$7.50 and \$10.00.

HOMPSON, BELDEN & Co.

dens are dried up and corn is suffering. A woman arose and after asking divine Much of the cats will not be threshed. aid in guiding the ship of state, begged Trinity Episcopal church was kept open that the heart of the governor might be all day today, for all who cared to offer brought home to him. She thought the ASHLAND, Neb., July 26 .- (Special.)-In chief executive was a good man, but lacked accordance with the proclamation of Govthe personal presence of the Lord in his ernor Savage, also by Mayor Railsback of heart and she carnestly desired his speedy. Ashland, a union prayer meeting for rain was held by all denominations of the city At the governor's office this afternoon in the First Congregational church at 8

> is thirty bushels an acre. The corn crop in every direction from Ashland is dam-

aged. SUTTON, Neb., July 26 .- (Special.) -The thermometer reached 109 in the shade yesterday afternoon. This morning a dealer in coal found his bin on fire from spontaneous compustion. A wheat stubble field east of here caught fire yesterday from the

concentration of the sun's rays by a small piece of oval glass acting as a fens. HUMBOLDT. Neb., July 28.—(Special.)— The heated term continues in this section. the first severe attack. Dr. Birkner was the light rain of Wednesday having had no appreciable effect on the temperature. At 11:50 the end came. The funeral will The citizens have turned their attention be held at 10 o'clock tomorrow morning toward keeping cool and have organized a swimming club and make daily trips to The deceased was the father of Louis the canal, a cutoff on the Burlington rightand Julius Ottens, who both live in the of-way east of town. The place is being city. The death of Mr. Ottens increases fitted up with springboards and other conveniences and nearly the entire population spends a few hours there each even-

Local crop conditions, while not of the best, are not such as to cause the farmers to be completely discouraged yet and many claim that with rain inside the next week a good crop of corn will be harvested. The bulk of the wheat crop has already BEATRICE, Neb., July 25 .- (Special Tel- been threshed, only a very small percentage egram.) - This was the day set aside by the being stacked this year. The yield will governor as a day of prayer for rain. The average nearly thirty bushels an acre, in various churches held services this fore- one or two instances the returns being nearly forty bushels. The quality is high of all kinds were closed during the service above the average, the grain testing from at the churches. About 5 o'clock this sixty to sixty-two pounds, better than evening the prayers seem to have been has been harvested for a dozen years. The

guard over him. Mrs. Randolph was of the river is so low that the water hardly forms opinion that her husband was demented a stream, but lies in muddy pools in the as a result of the heat and he was taken channel. In Kansas, where the stockmen before the insanity board here late this depend on the rivers for water, this would afternoon, but the board said he was not be a serious condition, but the Nebraska farmer has no fear of a water famine. The inexhaustible body of water beneath and the ever present breeze are two friends which have stood by him through former relief from the intense heat, was observed drouths. Late listed corn looks well and at the First Methodist Episcopal church shows many ears. Early checked corn is sand acres of corn will be saved. The maxdamaged and chinchbugs have done much imum temperature at 3 p. m. today was 93 sisting and later lecturing on the general of the harm. A good rain would make degrees by the government thermometer. subject of church effort, and in the Trinity corn in York county even now. Threshing The rainfall this evening is 41 of an crews are doing well, considering the great inch and there are indications of further heat. Several extra men are required to rain. church subscriptions in the total sum of make a steady force. McCool imports po- DES MOINES, Ia., July 25 .- (Special.) dozen, claiming the eggs were spoiled by longed drouth, there is loud complaint night. One mile east of this city a heavier heat. Apples are scarce and very poor. There is no danger of suffering in York of water. At Bondurant, a small town on

prise the farmers as to the result. Others NORDEN, Neb., July 26 .- (Special.)-The heat record of this county was broken Monday by the thermometer registering 115 degrees in the shade. The hot winds, together with the drouth, which has lasted since the 20th of June, are ruining the corn crop. Farmers have their corn half cultivated and gone to having until it

will stand several hot days yet and sur-

rains again ALBION, Neb., July 26,-Special Telegram.)-Refreshing showers fell here this

KANSAS GETS GENERAL RAINS

evening.

Effectual Brenk in the Drouth, with Plenty of Water for Stock.

TOPEKA, Kan., July 26.-General rains throughout Kansas today have caused an effectual break in the drouth. The rains came too late to be of material benefit to the corn, but will result in plenty of stock vater and giving new life to the pastures. The rain in Topeka lasted an hour. Towns reporting rain tonight are:

Pittsburg-A fine rain, lasting two hours. Lawrence-Good rains at intervals. More ain is expected tonight.

Lernett-A fine rain is falling here tonight. It appears to be general throughout southwest Kansas. Leavenworth-A light shower fell and nore is expected. In the southern part of

he county heavy rain fell. Eureka-An inch and a half of rain fell. Chetopa-Rain lasting an hour fell.

Raymond-A soaking rain fell. More xpected. Lecompton-Two and a half inches of rain

in fine condition. More rain is expected. Osage City-A fine rain fell bere. Ellie-Plenty of rain has fallen in the

Emporia-A good rain was general over he county.

Parsons-There was an hour's heavy rain, followed by showers all the afternoon.

ern Kansas towns today. Lyndon-This county was treated to a

fine rain this afternoon. Stock water will Mean temperature.

Mean temperature.

Mean temperature.

Precipitation things generally. Scio-Another good rain fell here this

vest. Corn is in fine condition.

MISSOURI PASTURES SAVED

Lands in Northwest Part of State.

ST. JOSEPH, July 26 .- The heaviest rain of the year fell this afternoon over northwest Missouri, soaking the ground completely and effectually breaking the drout! which has covered a period of six weeks From a half to three-quarters of an inch of water fell. Corn is lost beyond hope of redemption, but pasturage will be greatly

KANSAS CITY, July 26 .- The maximum temperature today was 90 degrees. There was one death from heat and three prostrations. Today was the coolest day thus far in July. The sky was clouded all afternoon and about 5 o'clock a sprinkle of rain fell.

KANSAS CITY, July 26 .- A special to the Star from Hatfield, Sedgwick county, Kan., says: A small tornado near here last night destroyed considerable farm property blowing down fences, outhouses and wheat stacks and partially demolishing a farmer's house. No one is reported hurt. After the wind ceased rain fell in torrents. Within two hours there was a fall of one and onehalf inches of rain.

Heavy rains were reported this morning at Springfield, Mo., and Pittsburg, Kan., and in Sedgwick county, Kan. At Springfleid half neh of water fell at Pittsburg, where the and continued for two hours, practically ending the drouth in that section, great good will result to pastures. Other points in the southwest reporting rain since yesterday morning are Muskogee, Antlers and Ardmore, I. T., Guthrie, Okl., Ellis county, central Kansas, and Graham county, southern Kansas; Little Rock, Ark.; Abilene, Tex., and Santa Fe, N. M. The temperature in Kansas City at 10 o'clock this morning was \$6, four degrees cooler than at the same hour yesterday.

SPRINGFIELD, Mo., July 26 .- A heavy rain fell here early this morning and the streets and roads are muddy. The heated term in the southwestern corner of Missouri was broken yesterday by high winds. It is still cloudy and more rain is ex-

ST. LOUIS, Mo., July 26 .- From all indications suffering St. Louisans witnessed the beginning of the end of the present spell degrees. of torrid weather. The day was the coolest experienced in several weeks, made so by fine breezes. The maximum temperature GERMANY'S NEW TARIFF LAW was 97 dgrees. Rain appears to be near at hand for St. Louis and thunderstorms are a possibility within twenty-four hours. according to the government weather bureau. Six deaths directly attributed to the and mowers will pay 9 marks, while other heat were reported for the twenty-four machinery will range from 3 marks 50 all documentary evidence in relation disbursements of her moneys paid to him. eight prestrations were reported today. The weight. story of the hot spell is told in these few

Duration to date, 23 days; deaths, 215; prostrations, estimated, 1,000; last day of July 3; highest temperature recorded in St. Louis, 167.1.

words.

The Post-Dispatch today became the mehis family and he threatened to shoot the cial.)-The drouth in south York county dium for the daily distribution of twenty-

> SALVATION OF IOWA ACRES Rainfall Around Sibley Revives Prom ise of a Good Corn

> > Crop.

SIBLEY, Ia., July 26 .- (Special Telegram.) -The drouth is broken here and a thou-

dealers made the price of eggs 2 cents a on account of the intense heat and profrom the farms and small towns of scarcity ported. Several farmers in this vicinity re- county. The corn will make excellent fod- the Great Western railroad in this county, port that they are now sure of fair corn. der and thrifty farmers have begun feed- all of the wells have gone dry and a tank For quite a strip of country south of Alda ing it 'to keep stock in good condition. line has been established to haul water to and southwest of this city a heavy rain There is a great wheat grop, plenty of the town and sell to the people. Pracfeli, the water being reported as standing pork and beef, and though the people would tically the same condition prevails in a in the roads this morning. A great electric relish some products of the garden, they number of other towns in this part of the state, although in the towns that are near Alda, Wood River, St. Paul, Phillips and BLAIR, Neb., July 26.—(Special.)—There the Des Moines river there are numerous from the northern part of the county no has been no rain in Blair and vicinity since artesian wells that are not affected by the rains were reported and 12- showers were July 4. Extreme heat has prevailed twelve drouth. The mineral artesian well in Dee days, the thermometer reaching the highest Moines, which is nearly 1,500 feet deep and George Sander, an employe of the Union notch, 105, Tuesday. Dr. E. A. Palmer's pours a constant stream, has not been affected, and as it is owned by the county and the water is free to all, it is daily

Farther West in Nebraska There May Be Rain, but in Omaha Only Indications.

WASHINGTON, July 26 .- Forecast for Saturday and Sunday: For Nebraska-Partly cloudy Saturday; probably showers in western portion; Sun-

day fair in western portion, probably showers and not so warm; southerly winds, becoming variable For Iowa-Partly cloudy and continued warm Saturday; Sunday probably showers

and not so warm; southerly winds, becoming variable.
For Western Texas-Cloudy Saturday and Sunday: showers in the Panhaudle

For New Mexico-Partly cloudy Saturday and Sunday, with local thunderstorms in northern portion; variable winds. For Oklahoma and Indian Territory-Local thunderstorms and warmer Saturday; Sunday partly cloudy; variable winds. For Arkansas-Thunderstorms Saturday

and probably Sunday; winds mostly south-For Illinois-Fair Saturday; warmer in northeast portion; probably showers and somewhat cooler at night or Sunday; light southeasterly winds.

For Missouri-Partly cloudy Saturday showers in western portion; Sunday probably showers and not so warm in eastern portion; winds most southerly. For North Dakota-Showers Saturday cooler in northwest portion; Sunday fair; variable winds.

For South Dakota-Showers and cooler Saturday: Sunday fair; variable winds. For Kansas-Partly cloudy Saturday and Sunday; probably local showers; not so warm Saturday in northeast portion; southerly winds, becoming variable.

For Wyoming-Partly cloudy Saturday

fell here this afternoon and everything is and Sunday, with local thunderstorms in eastern portion, winds mostly westerly. For Colorado-Local thunderstorms Saturday; Sunday fair in western, local thunounty today and the drouth is effectually deratorms in eastern portions; variable

For Montana-Fair Saturday and Sunday; westerly winds.

Local Record. The rain is general throughout the county.

Iola—Rain has failen in numerous southern Kansas towns today. 1901, 1900, 1809, 1988, 100 87 83 95 79 67 70 64

Maximum temperature... Record of temperature and precipitation at Omaha for this day and since March 1: Normal precipitation

Deficiency for the day.
Total since March I
Deficiency since March I
Deficiency for cor. period. 1900.
Deficiency for cor. period. 1809. .12.19 inches . 6.56 inches Reports from Stations at 7 P. M.

STATIONS AND STATE

OF WEATHER. Omaha, clear North Platte, partly cloudy Rapid City, partly cloudy Huron, cloudy Williston, clear Chicago, clear St. Louis, clear St. Paul, raining Davenport, clear Kansas City, cloudy Helena, clear Havre, partly cloudy Bismarck, cloudy Galveston, cloudy

Local Forecast Official.

T indicates trace.

Chicago Refuses Rush Orders. CHICAGO, July 26 .- Four deaths and six prostrations were the net result of today's heat and humidity, the former being 82 degrees at its highest in the weather bureau, which means at least 5 degrees below the street level temperature, and the humidity being 71. As the hot spell grows in duration many of the transfer and parcel delivery companies are refusing to accept rush orders. So many horses have died from the heat, notwithstanding the precautions taken to save them, that a refusal to accept rush orders was necessary

Comanche Reservation Sonked. FORT SILL, Okl., July 26 .- Rain fell late yesterday over the entire Comanche reservation. It at least laid the dust and made travel for the homeseckers more agreeable

Cincinnati in the Mucties. CINCINNATI, July 26 .- Two deaths and three prestrations resulted from the heat here today. The thermometer reached 97 degrees this afternoon.

Kentucky Still Too Hot. LOUISVILLE, July 26.-There were seven deaths and three prostrations from heat in Louisville today. The maximum was 100

(Continued from First Page.)

chines weighing ten tons. Steam threshers

The duties on dynamos and motors range rom 9 marks on machines weighing live hundred-weight; or less to 6 marks on dyanswered to the extent that a shower of oat crop is poor and much of it will be rain covering the entire city of St. Louis, thirty hundred-weight. Telephone and telegraph apparatus will pay 60 marks. The 150 marks. Bicycles will pay 150 marks, while buggies and carriages will pay frem 199 marks to 200 marks; bicycle parts, rough, 40 marks; finished, 150 marks. Pianos and organs will pay 40 marks and pipe organs 25 marks. All the foregoing duties are reckoned per metric bundredweight. Section 8 of this tariff law provides that dutiable goods sent to Germany from countries treating German ships and German goods more unfavarobly than those of other countries may be assessed at double the rates provided for under this law or to the full value of these goods, and that dutiable goods arriving from such countries that are on the free list may be

assessed 50 per cent of their full value. Eczema No Cure. No Pay. Your drugg'st will refund your money if PAZO OINTMENT fails to cure Ringworm, Tetter, Old Ulcers and Sores, Pimples and Blackheads on the face, and all skin dis-

eases. 50 cents.

Tooth Pullers in the Army. Five dentists in the employ of the United States government are performing duty in the Philippines, ten more are on their way there, one has been ordered to Cuba, one to Porto Rico, one to West Point, one to 1898, and the propriety of his conduct in Fort Leavenworth and one to Fortress the premises. Monree. All have been provided with a kit of operating machinery. This outfit is the 'Flying Squadron' on and about May

Shoots Two Women.

FAIRMONT. W. Va., July 25.—Fountain Gordon, a negro, shot and killed Be le Campbell and fatailly wounded Matt. Simpson, both white at Monongah, at 4 o'clock yesterday afternoon and ran away. He was later arrested and is in juli hers, but he may be lynched at any moment. Belle Campbell kept a minirs boar in a dispute over a board bill claimed to be long overdue. There is great excitement at Monongah and it is feared an attem to will be made to lynch Gordon. The sherty has called in all of his deputies and announces that he will defend the jall and his prisoner while life lasts.

Resigns from Presbyterian Paper. CHICAGO, July 28.—Dr. W. C. Gray, for twenty-five years editor of the Interior, the organ of the Prosbyterian church, has dis-posed of his interest in the paper and re-signed. The paper has been incorporated with a capital of \$50,000.

SIGNS OF PARALYSIS,

Can Be Discovered in Time.

"Numbress of the hands and arms, with premonitions of paralysis, kept by me while was using coffee. I finally discovered it was caused by coffee; when I quit coffee and began drinking Postum Food Coffee the numbress ceased entirely and have been very well ever since. At that time I was unable to sleep, but now I sleep perfectly. Husband was also troubled from lack of

sleep while he was drinking coffee, but now he uses Postum Food Coffee with me, and we both sleep perfectly. Our little boy had peculiar nervous spells and I stopped the use of coffee with him and have been with Lieutenant Albon C. Hodgson, U. S. giving him all the Postum Food Coffee he cared for. He is perfectly well now. My sister was troubled with nervous headaches while she used coffee. She found how greatly improved we were from discontinuing it and using Postum Food Coffee, so she made the change and is now rid of her nervous headaches. We are naturally strong advocates of Postum."

Mrs. J. Walford, Castalia, Eric county,

PRECEPT FOR SCHLEY BOARD

the Naval Fight Inquiry.

INVESTIGATION'S SCOPE IS UNRESTRICTED sire. The court may at any time grant

for His General Guidance-Court is to Make Recommen-

afternoon.

naval engagement of Santiago.

counts practically sum up the criticisms of respond to a summons, but the oppor-Admiral Schley's conduct made by Secretary Long to the senate, which the secretary characterized as Schley's "reprepoints in the precept is the direction to the pertinent facts which it may deem to be established, together with its opinion and member of the court until he receives the recommendations in the premises."

Precept in Full. The precept in full reads: quest of Rear Admiral Winfield S. Schley U. S. N., made in a letter dated July, 22, ticable, for the purpose of inquiring into the the navy, during the recent war with Spain, and in connection with the events thereof.

"The court will inquire thoroughly into all the circumstances bearing on the subject of the investigation hereby ordered and to this end, besides examining orally all proper witnesses whose attendance can be client with trankness, and to render her thereto on its files.

Court is to Make Recommendation.

"Upon the conclusion of the investigation the court will report its proceedings names and motors weighing from five to and the testimony taken, with a full and detailed statement of all the pertinent facts which it may deem to be estab- to collect alone. \$6 N. W. Rep. (N. D.) 362. luties on wagons will range from 20 to lished, together with its opinion and recemmendations in the premises.

discretion of the court to make its exampoints to which attention is specifically directed as follows:

"I. His conduct in connection with the vents of the Santiago campaign. "2. The circumstances attending, the reamovement of the 'Flying Squadron' off Ci- for such work. 65 Pac. Rep. (Colo.) 350.

sons controlling and the propriety of the movements of the said squadron in proceeding from Cienfuegos to Santiago. "4. The circumstances attending the arrival of the 'Flying Squadron' off Santiago, the reasons for its retrograde turn west-

ward and departure from off Sautiago and the propriety thereof.

"5. The reasons attending and the rea sons for the disobedience by Commodore Schley of the orders of the department contained in its dispatch dated May 25,

identical with that contained in the best 17, 1898; its coaling facilities; the necesappointed offices of the highest class of sity, if any, for, or advisability of, the redentists in civil life, each costing in the turn of the squadron to Key West to coal; and the accuracy and propriety of the official reports made by Commodore Schley with respect to this matter.

"7. Whether or not every effort incumbent upon the commanding officer of a fleet under such circumstances was made to capture or destroy the Spanish cruiser Colon as it lay at anchor in the entrance to Santiago harbor. May 27 to 31 inclusive, and the necessity for or advisability of engaging the batteries at the entrance to Santlago harbor and the Spanish vessels at anchor within the entrance of the same harbor, at the ranges used, and the propriety of Commodore Schley's conduct in the premises.

"8. The necessity, if any, for and advisa-

bility of withdrawing at night the 'Flying Squadron' from the entrance to Santiago harbor to a distance at sea, if such shall be found the case, and the extent of such withdrawal, and if a close and adequate blockade of such harbor to prevent the escape of the enemy's vessels therefrom was established and the propriety of Commodore Schley's conduct in the premises. "9. The position of the Brookiyn on the morning of July 3, 1898, at the time of the exit of the Spanish vessels from the harbor of Santiago. The circumstances at tending the reasons for and the incidents attending the Brooklyn in the direction in which it turned at or about the beginning of the action with said Spanish vessels and the possibility of thereby colliding with or endangering any other of the vessels of the United States fleet and the propriety of Commodore Schley's conduct in the premises.

Navy Department Completes Outline for

Directions Given Dewey Are Only

dations.

WASHINGTON, July 26 .- The precept to the Schley court of inquiry, which the Navy department has been preparing for several days, was given to the press this

It is a document addressed to Admiral Dewey as president of the court, instruct- and suggested to the court as matters ing him concerning the matters to be investigated. While it directs that the "entire matter" of Admiral Schley's conduct during the operations in West Indian waters shall be investigated, making use of the very words employed by Admiral Schley in his letter to Secretary Long, it also selects certain distinctive acts of the rear admiral concerning the facts and propriety of which it calls for particular investigation. These points cover briefly Admiral Schley's alleged delay with the flying tion of his case. He will examine all docusquadron at Cienfuegos, the slowness of his progress toward Santiago after leaving court will probably sit for several months Cienfueges, the retrograde movement toward Key West, the effectiveness of the venes in December. bombardment of the Spanish fleet at the ranges used in the reconnoissance of May the witnesses before the court shall be 31, the state of the coal supply on various They may be taken from the navy, from ships when he telegraphed the department the army or from civil life-for undoubtedly that he would return to Key West, the loop some of the newspaper correspondents will of the Brooklyn at Santiago, the accuracy be called in this case. It is even probable of his reports and matters relating to the in view of the recently published interview controversy between him and Commander of Captain Eulate of the Spanish navy, that Hodgson over the alleged colloquy which is he and Admiral Cervera himself will be said to have taken place aboard the Brook- called if Admiral Schley desires it. Of lyn when the loop was made during the course the court of inquiry has no au

"To Admiral George Dewey, United States Navy, Washington, D. C.: Upon the re-1901, copy herewith, a court of inquiry, of which you are hereby appointed president, Rear Admirais Lewis A. Kimberly and Andrew E. K. Benham, U. S. N., members, and Captain Samuel C. Lemley, U. S. N., judge advocate general, judge advocate, is hereby ordered to convene at the Novy dopartment, Washington, at 1 o'clock p. m., on Thursday, the 12th day of September, 1901, or as soon thereafter as may be pracconduct of the same Schley, commodore in

bank's collections, has no authority to com-

"While the department relies upon the ination into this matter full and complete, as requested by the officer at whose instance it is convened, the report should show the conclusions reached upon certain

sons controlling and the propriety of the ries with it the right to enforce the lien

enfuegos in May, 1898. "3. The circumstances attending, the rea-

Why He Disobeyed Orders.

"6. The condition of the coal supply of

"10. The circumstances leading to and the incidents and results of a controversy N., who, on July 3, 1898, during the battle of Santiago, was navigator of the Brooklyn, in relation to the turning of the Brooklyn; also the colloquy at that time between Commodore Schley and Lieutenant Hodgson and the ensuing correspondence between them thereof, and the propriety of the conduct of Admiral Schley in premises.

"The foregoing specific directions are given primarily for the information and guidance of the court, but do not limit restrict the scope of its inquiry into the 'entire matter,' the investigation o

which is asked by the officer concerned. "Rear Admiral Schley has been informed of his right to be present, either in person or by counsel, during the investigation; to cross-examine witnesses and to offer evidence before the court, should be so deto others interested and entitled thereto like privileges. The investigation will be held in open court. This employment on shore duty is required by the public interests.

"Given under my hand at the Navy department, Washington, this twenty-sixth day of July, nineteen hundred and one.

"JOHN D. LONG, Secretary. Long Makes a Statement.

Secretary Long made the following statement about the precept. "It is simply an enumeration of the facts that have been, to use the applicant's own words, 'under discussion; they are referred to informally which have been under discussion and, as such, should be inquired into by them. They are enumerated in accordance with the general rule that when inquiry is made the person interested should have notice beforehand, as far as possible, of all the specific things about which inquiry is likely to be made."

Judge Advocate General Lemley, who was designated as judge advocate of the court today, will now proceed with the preparaments and prepare a list of witnesses. The more than likely until after congress con

Judge Lemley has not yet decided who thority to compel their attendance and it With the exception of the last two, the is more than doubtful whether they will tunity will be afforded.

No word has been received from Admiral Kimberly, who, it was reported, had hensible conduct." One of the important written to the department saying that his health made it inadvisable for him to atcourt to report in its conclusions "all the tempt to serve on the court. He will not be officially notified of his selection as a precept, which was mailed to him today. A copy of the precept also will be sent to Admiral Dewey and Rear Admirals Benham and Schley.

WASHINGTON, July 26 .- Secretary Long oday, formally announced that he had seequed. Captain, Samuel C., Lemiey, the law. officer of the Navy department, to be finise advocate of the Schley court of inquiry.

Captain Lamley has accepted the detail. Up to noon today Long had not heard from Rear Admiral Kimberly, who is reported o have sent a letter to him explaining that he state of his health would hardly permit him to act as a member of the court. Hope is still expressed at the Navy department that the indisposition from which the admiral is reported to be suffering will be only temporary and that he will be able to

JUDICIAL DECISIONS

Attorney and Client.

An attorney is bound to deal with his 49 At. Rep. (N. J.) 429. Banks and Banking. A general agent, having charge of a

promise or settle claims for a less sum than due, by virtue of such general agency Brokers. Wagering contracts on the future market price of grain, where it is shown that, notwithstanding their terms, no actual delivery of the grain was contemplated by the parties, are generally held to be illegal and

void in the United States, even in the absence of an express statute declaring them invalid. 108 Fed. Rep. 572.

Building Trades. Where laborers having claims for work done assign the same, such assignment car-

Beneficial Associations.

Appointment of a receiver for a beneficial association by a court of the state in which it was incorporated does not defeat an attachment on its property by another state, made before such appointment by a citizen of the state in which the appointment is made. 49 At. Rep. (Pa.) 302. Bankrupter.

Rents of land, accruing after an assignee for the benefit of creditors has taken possession of the assigned property, belong, as between general creditors and a mortgagee claiming under a mortgage which pledges the rents, issues, and profits of the land to the latter, when necessary to fully pay the obligations secured by the mortgage. 60 N. E. Rep. (Ohio) 602.

Credit Men. The seller of goods may retain the goods until the price is paid, in the absence of a contrary agreement. The purchaser of goods, in the absence of a contrary agreement, is not bound to pay therefor or tende payment until the goods are ready for delivery. 49 At. Rep. (Del.) 248.

Corporations. The receiver of a foreign corporation appointed by the courts of a foreign jurisdic tion is entitled to maintain an action for

the recovery of realty in the possession of

a residen, of the state, where no rights of

resident creditors intervene. 86 N. W. Rep. (S. D.) 649. Department Stores. Defendant corporation, conducting a department store, advertised itself as carrying on the practice of dentistry in one departments. Plaintiff employed defendant to treat her teeth, and the work was so unskillfully done that her jaws were injured, for which she claimed damages Held, that defendant was estopped from denying agency of the persons doing the

on the practice on their own account. 6 N. E. Rep. (N. Y.) 597. Commission Merchants.

work, though in fact they were carrying

In an action to recover money paid on carload of oranges purchased by plaintiff subject to inspection, where the plaintiff had examined the oranges and accepted them, but later repudiated the sale, on the ground that they were not merchantable, t was error for the court to refuse to submit to the jury the question whether defendant had so packed the oranges that plaintiff was thereby induced to make only partial examination of the same, since that was the only ground on which plaintiff could recover. 63 S. W. Rep. (Tex.) 656.

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