AFFAIRS AT SOUTH OMAHA

Commercial Club Members Suggest the Calling of a Mass Meeting.

TO DISCUSS SEVERAL BOND PROPOSITIONS

Proposed City Hall to Include Jail, Council Chamber, Courtroom and Fire Hall—Indians Appear on the Stock Market.

There is some talk now among members of the Commercial club of calling a meeting of citizens to discuss a number of bond propositions. Just when this meeting will be called Secretary Christie does not know, but he expects to be able to make some definite announcement within the next few days.

Among the propositions to be submitted to the mass meeting, providing one is held, is the voting of $50,000 general indebtedness bonds for the erection of a city hall, which will include a jail, council chamber, courtroom and fire hall. It has been proposed also that this building be made large enough to serve the purpose of an auditorium. Then there will be a proposition to vote $5,000 for the purchase of a site for a public library in order that the offer of Andrew Carnegie to erect a library building here may be accepted. The sum of $35,000 is proposed for parks. It is planned among those who are interested to purchase Syndicate park for about $20,000 or $25,000 and then spend the balance of the money in establishing small parks in the other wards. The balance of the $100,000 to be asked for will be used, it is asserted, to take up the overlap. At the present time general indebtedness bonds in the sum of $307,000 are outstanding, while the district indebtedness still unpaid amounts to $225,000.

Indians Sell Cattle.

That the Indian is advancing in civilization was evidenced at the stock yards this week by the arrival of a delegation of two dozen Sioux bucks from the Rosebud agency. These red men of the north brought down twenty-one cars of cattle from the reservation, which were sold here. With all the keenness of their nature these warriors and sons of warriors sat on the fences at the yards and watched with interest the sale of their stock. Not a movement of the buyers or sellers escaped them. While the younger men of the party wore the dress of the white man, the older men went without hats and sat on the fences with a blanket wrapped around them. The sight was certainly picturesque and was quite a change from the usual humdrum scenes at the yards. At the Exchange building the Indians attracted more or less attention. Quite a number of those who made the journey to this market are reputed to be quite successful stock raisers, while others came along because the opportunity offered.

After the sale of the stock, which brought good figures, some of the learers left for their homes, while others remained here to see the sights and invest the proceeds as their fancies dictated.

A bunch of half a dozen enjoyed themselves yesterday in meandering about the streets looking into store windows. In some instances small purchases were made. As the rule the Indians were well behaved, although a few managed in some way to procure samples of "sheep dip," the effects of which prevented them from navigating without a pilot.

It is only recently that the Indians have taken seriously to the cattle raising project. For years past it has been the custom of the government to issue beef to the Indians on the Rosebud and Pine Ridge agencies on the hoof, therefore there was no incentive to accumulate a herd. With the change from the old system the more civilized Indians commenced the raising of cattle with the result that now shipments from there ranges are made to some market a couple of times a year.

Those of the party who are familiar with the way of the white man expressed themselves as well pleased with this market and the prices their cattle brought.

The party was made up as follows:

Chief Four Horns, Alexander Stilleway, Charging Bear, Charley Three Stars, Tom Blackeyes, Peter Bitter, William Charging Crow, Black Hawk, Bad Wound, Willie Needs Pants, Little Chief, Allen Lost Horse, Harry Soldier, No Neck, Little Big Horse, Lost Horse, Joe White Face, Black Crow, Tommy Hawk, Dan Kills Alive, Charley Lone Wolf, Kills Well, Charley Whirlwind.

Another delegation of Indians in charge of William and Frank Randall arrived from the reservation yesterday afternoon with eighteen cars of cattle which were sold immediately.

More Lumber Arrives.

The ferryboat Castalia was sent to Omaha yesterday to load four cars of Oregon lumber just arrived. This lumber is to be used in the construction of the pontoon bridge across the river. Work on the bridge is progressing as rapidly as possible. With the receipt of the heavy timbers looked for the bridge will soon be completed. At least this is what officers of the company say. In the meantime the ferry is doing a good business, but nothing to what is expected when the bridge is completed and a good road to the river secured. The officers of the company are doing all in their power to provide transportation across the river to residents of Iowa who desire to visit South Omaha and the stock market here.

On Sunday a line of carrycalls will run from Twenty-fourth and L streets to the boat landing every hour.

Beef Butchers' Scale.

The beef butchers of the South Omaha packing houses have presented a scale of wages to their employers and the packers have been given until next Monday to decide whether or not they will sign the scale. At the present time the wages paid beef butchers range from 20 cents to 45 cents an hour. The new scale is from 20 cents to 50 cents an hour. It is stated that in some instances this means a reduction to some employes and an increase to others.

Local butchers here say that this new scale is being presented to all of the western packers.

So far the local unions have received no intimation as to what the packers will do, but trouble is not anticipated.

Magic City Gossip.

S. F. Holmes has returned from Crookston, Neb.

Miss May Sargent has returned from an eastern trip.

Miss Bertha Housman was reported some better yesterday.

Mrs. Denna Albery has gone to Iowa to attend the state fair.

The packing house at Nebraska City has closed down for repairs.

Councilman Ed Johnston has gone east to look after business matters.

Patrick Martin is home from a two weeks' stay at Excelsior Springs, Mo.

George Green was out again yesterday after his accident of a few nights ago.

Mrs. E. A. Chaffee, who is at a sanitarium in Lincoln, is reported considerably bett r.

Rev. Dr. Wheeler will preach at the First Presbyterian church Sunday forenoon.

A batch of Rosebud Indians attracted considerable attention on the streets yesterday.

Sanitary Inspector Frank Jones is going to Benton Harbor, Mich., to spend a week with friends.

A meeting of the Anti-Saloon league will be held at the Presbyterian church on Sunday evening.

Street Commissioner Frank Clark leaves today for Michigan, where he will spend a ten days' vacation.

Carson Wrick of Kennard, Neb., is in the city visiting John F. Schultz and wife, Thirtieth and R streets.

There was a meeting of the First Ward Colored Republican club last night, which was fairly well attended.

It is rumored that laborers in the packing houses will soon ask for an increase in pay of 2½ cents and hour.

Zack Cuddington was on the streets for a time yesterday. He is still quite weak, but expects to recover rapidly.

Street Commissioner Clark said yesterday that he would commence grading the Twelfth street hill on Tuesday.

A complaint against James Murphy was filed in police court yesterday, charging him with stealing $25 from John Walsh.

Dr. Edward Furay was here yesterday, having come in from the northwest for the purpose of visiting friends. Dr. Furay formerly practiced medicine here.

Preparations are being made by the St. Joseph Live Stock exchange for the meeting of the National Live Stock exchange, which will be held there in October.

Bee Hive lodge No. 184 of the Masons is making extensive repairs on Masonic hall at Twenty-fifth and N streets. The hall is being papered and repainted.

ENDORSES THE CONVENTION

First Ward Republican Club is Well Pleased with Work at Lincoln.

There was a good attendance at the meeting of the First Ward Republican club Friday night. The president, F. W. Bandhau, was in the chair. James M. Rollo set the ball rolling by moving that the action of the state convention in its nomination of a candidate for supreme judge and of regents of the State university be endorsed. It was followed immediately by another motion endorsing the governor's action in returning J. S. Bartley, the defaulting state treasurer, to the penitentiary. Both motions carried unanimously.

L. E. Lucas, candidate for sheriff, addressed the club. "While I have always been a republican," said he, "and always taken an interest in politics, this is the first time I ever came before the people requesting an office. As a general thing a new man runs well, and if I am so fortunate as to get the nomination I assure you I will do all in my power to secure the election of the entire ticket."

E. F. Brailey, candidate for coroner, also announced himself as a political aspirant for the first time in his life. He made a brief, business-like talk, which was well received. W. B. Christie of the school board delivered a patriotic address, confining his remarks in the main to national conditions. He said he hoped the next time it was his good fortune to speak in that hall he would see a flag floating from its flagstaff. This reminded the chairman that the club was possessed of no specimen of Old Glory, so J. M. Rolle offered to present the organization with one. The club adjourned to meet again in two weeks.

SECOND WARD CLUB OFFICERS

Enthusiastic Meeting at which Candidates Appear.

The election of officers occupied the attention of the members of the Second Ward Republican club at their meeting held at Fifteenth and William street last night.

This was the second meeting of the club held this year and if this was an indication of what subsequent meetings will be the Second ward republicans will be found up in the collar during the coming campaign.

Fred Bruning, president, called the meeting to order and made a strong talk, advocating harmony and good feeling in the ranks.

Mr. Bruning has been president of the club for the last two years and in retiring thanked the members for their confidence in him and for their co-operation in making the club such a success. The president then called for nominations for offices.

The following were elected by acclamation: President, John F. Behm; secretary, Henry Knodell; treasurer, William Alsta t. Upon motion five vice presidents were elected: Ed Morris, George Reed, George Striker, Frank Symrad and Frank Hanza.

On taking the chair Mr. Behm made a short talk, thanking the members for the honor conferred upon him and promising to do all in his power to promote the welfare of the party and to make the club a success.

The president appointed an executive committee composed of the following: Charles Kessler, L. B. Loring, Joe Kavan and B. Malstrom.

Candidates were called upon to announce themselves. The following responded and made good short talks: Fred Hoye, candidate for sheriff; Dr. Weise, coroner; Judge Altstadt, justice of the peace, and Henry Knodell, constable.

The members present were enthusiastic and predict that the club will do go d work in the campaign. Each member was appointed a committee of one to bring in new members. The next meeting will b held on the evening of September 10.

Negroes Appeal to President.

OKLAHOMA CITY, Okl., Aug. 30.—An appeal to President McKinley for the protection of the negroes who are being lynched for their crimes was formulated by the negro territorial Baptist Sunday school convention which is in session in this city.

Marriage Licenses.

The following marriage licenses were issued yesterday:

Name and Residence.	Age.
Anton Christensen, Omaha	17
Ida Christensen, Omaha	19
August Anderson, Omaha	50
Augusta Holmquist, Omaha	2[illegible]
Hubert I. Readen, Tabor, Ia	24
Blanche O'Banion, Omaha	21

A Mother To Mothers.

"I am the mother of five children," writes Mrs. S. E. Rose, of Big Otter, West Va., "and have been as high as eight days in the doctor's hands, and never less than two days with any child until the last. Then I had used two bottles of Dr. Pierce's Favorite Prescription and was only two hours in the hands of the doctor."

Dr. Pierce's Favorite Prescription is a woman's medicine. It cures diseases of the womanly organs. It is a wonderful medicine for mothers, making the baby's advent practically painless and giving abundant strength to nurse and nourish the child.

HOWISON ANSWERS CRITICS

Denies Interview on Schley Inquiry Alleged in Boston Dispatches.

OFFERS TO WITHDRAW FROM THE COURT

If Remains Says He Can Do Duty on His Conscience and Oath and Without Partiality, as Law Requires.

WASHINGTON, Aug. 30.—Acting Secretary of the Navy Hackett today made public personal correspondence between Rear Admiral Howison and himself in relation to the fitness of the admiral to serve upon the court of inquiry, Admiral Howison having consented that his personal letter should be given the public.

A copy of Rear Admiral Howison's letter has been sent to Rear Admiral Schley. The correspondence is as follows:

YONKERS, N. Y., Aug. 24, 1901.—Dear Sir: I have just returned to my home after a short visit to Saratoga and Lake George.

Owing to my detail as a member of the court of inquiry, ordered to meet on September 12 next, I find that many newspapers are giving me credit for having served my country in the United States navy for nearly half a century with honor.

I see also that I am thought to be objectionable as a member of this court of inquiry, it being stated that I publicly expressed opinions on the conduct of the battle of Santiago while serving as commandant at the Boston navy yard, shortly after the result of that engagement was known.

I believe the service knows, as I do, that I do not attempt to make public speeches, write for magazines or papers or make public utterances on naval or others subjects.

It has been impossible for me to avoid the visits and questions of representatives of newspapers while serving at important stations and at times when the navy has been so busily employed.

The letter here refers to the writer's pleasant relations with newspapers at Mare Island, Boston and other stations and continues as follows:

When the news of our navy's success at Manila and again at Santiago reached Boston, the people there were not behind the rest of the United States in giving honor and praise to the navy and to the commanders-in-chief of the fleets.

The enthusiasm of the population in praise and honor for the officers and men engaged at Santiago lasted for some time, until later, when the troubles commenced as to where the credit and honors should go for the success of this engagement.

It is no news to the navy to say that where all do their duty the first honors for success go to the officer in chief command. Censure for failure also belongs to him.

This newspaper cutting contains a question in which it states that I made a comparison between Schley and Sampson, unfavorable to Schley.

The word "respected," as used by the reporter, is seldom or never employed by navy men in comparing the qualities possessed by officers, and I am sure I could never have said this as he reports, nor said that Schley had the reputation of being nervous and hot-headed in the naval academy.

One may say an officer stands higher in his class, if true; another may stand higher in scientific attainments, while another be distinguished for eminent diplomatic and social qualities, while all under discussion are of good standing and proficient in their necessary professional calling.

I have no recollection of the gentleman reporting the Boston Record, and I don t approve of his public statement as mine. I cannot say that I have not discussed with acquaintances matters published in the newspapers relating to our navy's success as well as the unfortunate disputes so widely commented upon.

There are a few, or no persons, in the navy or in our country who have not daily discussed these newspaper articles.

From the papers it appears that Admiral Schley has strong doubts as to my fitness to fairly judge this case with Admirals Dewey and Benham.

As it is a case of grave importance to those concerned and to the country, I am desirous of giving my little help to clear away the troubles.

The duties of members of courts-martial and courts of inquiry are not sought or desired by officers.

While I feel highly honored by the department's selection of myself for this duty, it is anything but a pleasant task to sit in judgment on brother officers.

However, the honor of the selection, nor the unpleasantness of court duties do not enter into the reasons for my now writing to say to you, personally, three things, viz.:

1. To reassure you that I am not responsible for and did not give out such an interview as is alleged in the dispatches from Boston and as stated in the newspapers to have been mentioned by Admiral Schley in a recent letter to the department.

2. If, however, the department feels that the cause of the navy and of justice will be better served by relieving me from duty on the court, I am entirely ready to withdraw voluntarily, or to have the department relieve me upon its own initiative.

3. If, on the other hand, the department, knowing all the circumstances, desires that I should perform the duty, I am entirely ready to perform it and can, upon my conscience and oath, do my duty as a member of the court, "without partiality," as the law requires. Yours sincerely and respectfully,

H. L. HOWISON,
Rear Admiral, U. S. N.

Hon. Frank W. Hackett, Washington, D. C.

Hackett's Reply.

Mr. Hackett replied as follows:

WASHINGTON, D. C., Aug. 26.—Dear Admiral: Your personal letter of 24th deserves an immediate reply.

You say substantially that there is no foundation for the statements attributed to you as having been set forth in an interview afterward published in the Boston Record and lately made the subject of a communication from Rear Admiral Schley to the department. You evidently have read the correspondence between the admiral and the department as published last week in the newspapers.

The department, let me assure you, has no purpose of relieving you of this duty. It has implicit confidence in your sense of justice and fair-mindedness.

Should the counsel for Rear Admiral Schley proceed to offer to the court objection to you it will be for the court itself to decide the question of your competency to sit as a member.

Were your letter official instead of being merely personal, I should refer it to the judge advocate of the court, to be laid before the court. I would like to know if you have any objection to my giving to the public your frank and manly letter, in the event that it shall seem desirable to do so.

What you have said only confirms me in the belief that the department has been fortunate in selecting you as the third member of the court.

Kindly accept the assurance of my personal esteem and believe me, your truly,

FRANK W. HACKETT.

Rear Admiral H. L. Howison, Yonkers, N. Y.

WASHINGTON, Aug. 30.—Commander Richard W. Wainwright, superintendent of the naval academy, came over to Washington from Annapolis today and spent some time in conference with Captain Lemly, judge advocate of the Schley court, in reference to the testimony to be furnished by the commander, who is one of the witnesses on the government list. Captain Lemly has been engaged in this kind of work for the past week laying the base for the presentation of his case.

Nothing has yet been heard by Acting Secretary Hackett from Captain Forsyth in answer to the department's interrogatory touching his reputed interview in relation to the Schley case. Mr. Hackett's attention has not yet been directed formally to the publication this morning ascribing certain expressions bearing on the Schley case to Rear Admiral Watson, but, when the matter was referred to informally, Mr. Hackett intimated that it was not one of sufficient importance to warrant letter writing by the department.

HUMPHREYS CALLS ON KNOX

Judge from Honolulu Has Interview with Attorney General at Department of Justice.

WASHINGTON, Aug. 30.—Judge Humphreys of Honolulu called at the Department of Justice today and had an interview with Attorney General Knox. The attorney general has arranged for a hearing of the charges against Judge Humphreys to be held next Monday or Tuesday. Judge Humphreys will be present, as also will be Frederick H. Hankey, who represents the members of the Honolulu bar who are antagonistic to the judge.

At the conclusion of the hearing the attorney general will take the case under advisement and render his conclusions soon thereafter to the president.

WATSON VOUCHES FOR SCHLEY

Vigorously Resents the Intimation that the Admiral is a Coward.

NEW YORK, Aug. 30.—Admiral John C. Watson is quoted in the World as having said in the course of a private conversation in Washington:

"If any naval officer asserts that Admiral Schley is a coward and the fact comes to my knowledge I will see that the delinquent is given a chance to vindicate his opinion before a court-martial. I will prefer charges against such an offender myself."

The remarks, according to the World's correspondent, were brought out as a result of the retailing of some of the charges brought against Rear Admiral Schley.

FROM OMAHA TO FORT CROOK

Senator Millard Will Renew the Effort for Establishment of Military Road.

The effort made some time ago to have a paved road between Omaha and Fort Crook is to be renewed. At the time the post was established across the line in Sarpy county the proposition for a paved road was brought up, but not carried through. Among the things Senator Millard will undertake will be the construction of such a road. He hopes to succeed in having it declared a military road from the town to the post, to be maintained by the government.

"I hope to have the road established and maintained by the government," said the senator, "but it cannot be done without the co-operation of the city. The government will not maintain a city street and the object cannot be accomplished until the street which will join this road is paved to the corporation line. When this is done and the importance of means of communication other than by railroad is shown the department I do not think that it will be impossible to secure their approval of the plan.

"Fort Crook is in time to be one of the big posts of the west, and it is essential to the good of both the city and the post that such a road be established. In addition to its usefulness it will afford a beautiful drive, as it will undoubtedly be parked by the residents along the route and can be made to be one of the most beautiful drives in the country. In addition to this there should be some effort made to get a line of street cars from the fort to the city. Efforts should be made to bring them closer together."

Trouble Over Land Grant.

TUCSON, Ariz., Aug. 30.—Forty-three ranchers and all the residents of the town of Fairbanks, in the San Pedro valley, have been notified to leave their homes, which are on the Boquillas Spanish land grant. The grant recently came into the possession of a large cattle company and will be fenced in as soon as the settlers can be ejected. One rancher has built a fort and proposes to stand off the company's cowboys, who will be engaged in clearing the land of ranchers and their improvements. The grant embraces 17,355 acres.

THE REALTY MARKET.

Warranty Deeds.

INSTRUMENTS placed on record Friday, August 30:

H. A. Lockwood and wife to F. E. Lockwood, ne¼ nw¼ 23-16-10	$ 1,800
Genevieve Tylee to school district of South Omaha, lots 10 and 11, block 2, let add to Mount Douglas	1,000
Jane Latey to M. L. Keate, 61¼x183½ feet, commencing at point 15 ch w and 340½ feet n of se corner sw 10-15-13	1
Bankers' Building and Loan association to Timothy Ryan, lot 12, block 4, South Omaha park	1,000
G. T. Crissman and wife to Charles Wyman, e½ lot 39 and all lot 40, Hart's subdiv	650
John McCreary to G. W. Moore, lot 6, block 1, Marysville add	600
C. H. Meacham to C. L. Pleasants, lot 2, block 24, Boyd's add	400

Quit Claim Deeds.

Charles Battelle, trustee, to C. C. Johnson, lot 15, block 95, Dundee Place	50

Deeds.

Frank Thompson, executor, to David Gibbon, lot 8, block 19, South Omaha	250
Sheriff to Charles Battelle, trustee, lot 15, block 95; lot 1, block 106; lot 13, block 117, Dundee Place	158
Total amount of transfers	$ 5,909

Seasonable Fashions

3917 Plain Waist, 32 to 40 Bust.

Woman's Plain Waist, Closing at the Back. No. 3917—The plain waist that closes at the back is in great demand and makes an admirable model for innumerable materials. The original consists of alternate strips of lace insertion and embroidered batiste, but revering of all sorts, embroidered materials, allover lace, tucking and the like are all available. Among the latest developments of prepared materials are tucked mousseline, inserted taffeta, embroidered linen and tucked mercerized fabrics and the plain model has, therefore, become susceptible of many changes while in reality its form remains the same.

Both front and back are plain and smooth across the shoulders but drawn down in gathers at the waist line. The sleeves are in bishop style with pointed cuffs and the neck is finished with a regulation stock. In this instance the closing is effected by means of buttons and buttonholes worked through the hem, but a fly can be substituted and the buttons hidden from view when preferred.

To cut this waist for a woman of medium size 3¾ yards of material 18 or 21 inches wide, 2½ yards 32 inches wide or 2 yards 44 inches wide will be required.

The pattern 3917 is cut in sizes for a 32, 34, 36, 38 and 40-inch bust measure.

For the accommodation of The Bee readers these patterns, which usually retail at from 25 to 50 cents, will be furnished at a nominal price, 10 cents, which covers all expense. In order to get any pattern enclose 10 cents, give number and name of pattern wanted and bust measure. Allow about ten days from date of your letter before beginning to look for the pattern. Address, Pattern Department, Omaha Bee.

NEW LEADER FOR UNIONISTS

Rumor that Lord Salisbury Will Resign the Premiership.

CALL ON PARTY TO SELECT SUCCESSOR

Report Circulated that Head of Conservatives Will Give Up His Position After Coronation Next June.

LONDON, Aug. 30.—The Pall Mall Gazette, under the heading, "The Prime Minister's Impending Resignation," fixes Lord Salisbury's retirement as probable after the coronation of King Edward, though some persons place it in the autumn or early winter. Supporting the news editorially the Pall Mall Gazette says:

"The facts square with our own knowledge to the extent that the unionist party should prepare for a new premiership."

LATE JUDICIAL DECISIONS

Real Estate Agents.

Defendant contracted to sell plaintiff certain lots payable in installments, which the plaintiff promised to pay, the contract providing that in case of default in payment of any installment all previous installments shall be forfeited to the vendor as liquidated damages and be irrecoverable by the vendee and that the agreement should be of no further effect. Held, that the provision for forfeiture was for the exclusive benefit of the vendor and hence he was not bound to terminate the contract on the vendee's default in payment, but could treat it as continuing and sue the vendee for the installments due. 70 N. Y. Supp. 1096.

Shipping and Marine.

A state legislature has no authority to create maritime liens. 108 Fed. Rep. 968.

Street Railways.

The general principle governing the relation of the street railway to the traveling public is that their respective rights in the public street must be exercised by each of them with due regard to the rights of the other in a reasonable and duly careful manner. 49 At. Rep. (N. J.) 683.

Trademarks.

After plaintiffs had established a large business in certain felt pads sold by them under the name "Excelsior," and with a label having on it "Excelsior Felt Pads," defendants, who had purchased goods from them, began the manufacture of similar goods, changing the word "Excelsior" to "Excellent" and using labels almost an exact reproduction of such manufacturers' label. Held, that defendants were guilty of an infringement of such trademark, which plaintiffs were entitled to enjoin. 71 N. Y. Supp. 209.

Traveling Salesmen.

Plaintiff was employed by defendant as a traveling salesman under a contract providing that he should be paid a sum equal to 7 per cent commission on all sales accepted and that a drawing account of $100 per month should be allowed him; traveling expenses and drawings to be deducted before payment of commissions. Held, that the term "drawing account," as used in such contract meant a guaranty of commissions, so that there was no obligation on the part of one drawing to repay the amount so drawn. 86 N. W. Rep. (Mich.) 959.

Telegraph Companies.

Land which is a part of a railroad's right-of-way, but not used for any purpose and not essential to the enjoyment of such railroad's franchise and property, may be appropriated to the use of a duly incorporated telegraph company for the purpose of constructing and maintaining its lines, since such appropriation is for a more necessary public use. 65 Pac. Rep. (Utah) 735.

Water Companies.

The fact that a city owning and operating its system of water works furnishes water to consumers so as to make a profit thereon does not place it on make a profit thereon does not place it on the footing of a private water company, so as to deprive it of the power to defray the expense of laying water mains by assessment on the district specially benefited thereby. 65 Pac. Rep. (Wash.) 613.

Physicians and Surgeons.

A physician, though thoroughly qualified as an expert witness, cannot be permitted to give an opinion on facts known to him and not communicated to the jury; he being first required to detail the symptoms before expressing his opinion. 65 Pac. Rep. (Or.) 595.

Public Officers.

Under Pen. Code, sec. 268, service of process in a civil action on Sunday is absolutely null and void except in cases of breach of the peace or in apprehension thereof or when sued out for the apprehension of a person charged with crime, or except where authorized by statute. 71 N. Y. Supp. 263.

Railway Companies.

Where two connecting railroads are under one management, so as to constitute one system or have contracts for the carriage of goods, in which the roads are held out as a line for through transportation, they are jointly liable as partners for injuries to goods so shipped, though the general management of each road is retained by the respective companies. 30 So. Rep. (Miss.), 47.

Personal Injury Suit.

Where deceased, at the time of the collision with a street car, was seated with the driver of his father's carriage and it did not appear that he had any control over such driver, so as to create the relation of master and servant, it was not error to instruct that he was not responsible for any contributory negligence of the driver. 71 N. Y. Supp. 321.

Newspapers.

By a contract, the consideration of which was the settlement of a libel, defendant covenanted not to publish or cause or allow to be published in any paper with which he was connected any libelous or defamatory article concerning plaintiff, or any article reflecting in any way on the business, social or personal character of plaintiff. Plaintiff was engaged in business in five states and defendant published a newspaper which circulated in all communities where plaintiff had business, social or personal relations. Held, that the stipulation for "$5,000, liquidated damages," in case of violation of the agreement should not be regarded as a penalty, or relieved against as grossly disproportionate to the injury. 49 At. Rep. (Pa.) 779.

Parent and Child.

Where a small child was injured by a street car in front of the premises where it lived, evidence that the child's mother was in poor health and that its father was dead was properly admitted as bearing on the question of the contributory negligence of the parents in allowing the child on the street. 71 N. Y. Supp. 226.

Bankruptcy.

In the absence of controlling legislation, the general rule is that, so long as a corporation of which a receiver has been appointed has not been dissolved, and no order of injunction exists restraining the bringing of suits against it, such corporation may be sued and defend in its own name. 65 Pac. Rep. (Kan.) 648.

Attorney and Client.

An attorney entered into a contract with an administratrix to prosecute pending actions to recover insurance upon the life of her deceased husband for a certain proportion of the recovery if successful, he to have no compensation in case of defeat. Held to give him a lien on the fund after recovery which he could enforce in equity against a third person in whose hands the compensation is set apart without an allowance by the surrogate of such amount to the administratrix on her fund accounting. 71 N. Y. Supp. 237.

Barbers.

Defendant, who was a barber and owner of a shop, sold his furniture, tools and fixtures to the plaintiffs and agreed that he would not engage in the barber business in any manner in the town of Russell. Held, that a decree enjoining defendant from working as an employe of the owner of another barber shop in that town will be sustained. 65 Pac. Rep. (Kan.) 689.

Banks and Banking.

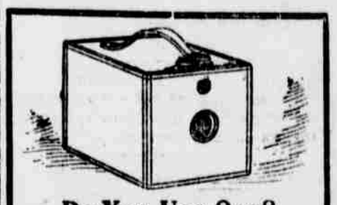
Where notes were made to be discounted at a bank at the legal rate, the payment of a portion of the proceeds of the discount to an accommodation inderser to compensate him for the indorsement does not make the notes usurious. 71 N. Y. Supp. 67.

CLOSE OF ORGAN RECITALS

Dr. Minor C. Baldwin Completes His Engagement at Trinity Cathedral Last Evening.

The seating capacity of Trinity cathedral was taxed last evening to accommodate the audience of music lovers gathered to hear the third and closing recital of the series given this week by Dr. Minor C. Baldwin. Even the choir seats were filled and then some remained standing in the rear. The program was to have been interspersed with vocal numbers by Mr. Jules Lumbard and Mr. D. H. Wheeler, jr., with Mr. Butler as accompanist. These numbers had to be dispensed with, however, as Mr. Wheeler was suffering from serious hoarseness and Mr. Buttler was unable to be present. Mr. Lumbard sang one selection, "I Think When I Read That Sweet Story of Old," to which Mr. Baldwin accompanied him.

Cuticura SOAP MEDICINAL AND TOILET PRICE 25 CENTS



Do You Use One?

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