## IN THE FIELD OF ELECTRICITY

Invention of a Device to Supplant the Troiley Pele and Wire.

STATISTICS ON COST OF STREET LIGHTING

Possibilities of Water Power in the West Officially Reviewed-Ningara's New Wheel Pit-Current Notes.

Dispatches from Boston announce the completion of an invention there for which the usual promises of revolutionizing things electrical are made. The particular in- much better way to get at the result. vention is designed to supplant frolley though it is a trifle circuitous, says the the land, and having such a glorious ob- land, animal life depends on vegetation for ject in view it naturally attracts much attention. The device consists of a row of danger to horse or man in crossing or comis a sheet of copper, imbedded in a slate backing at the end of the box. In the center of the box and extending toward the opposite end bent at right angles, and rests a solid block of insulation. The top of the armature lies within an inch or so below the underside of the cover of the box.

Underneath the car a long shoe is strung, to which is attached at regular intervals. in pairs, magnets wound for 50 volts. Attached to the shoe are plates of nonmagnetic steel which are movable and used as the coptact shoe and susceptible to unevenness or rise and fall necessary to always come in contact with the boxes. When the box in such a way as to make a contact, carrying of 200 or more amperes, if required, into the motor of the car.

When a car is immediately over and the resting upon the block of insulation.

The cost of construction depends entirely In operation in Milbury, Mass., is constructed with a car shoe twenty-one feet In large cities, however, it is thought that would be more practicable to have the

set the brakes on a car containing thirty velopment for power and irrigation purpassengers, and then soply the power, and to the surprise of the electricians and railoff with case. It has been demonstrated water resources of the whole country." that a car can be run up a grade of 5 per cent with 100 passengers when all the brakes are set, which is considered a remarkable test of the strength of current trical engineering achievement of modern supplied through the boxes on the ground.

Cost of Street Lighting. Some statistics as to the cost of street tremely interesting. Chicago spends \$600.-Cincinnati, \$425,000; Baltimore, \$350,-600; San Francisco, \$245,000; Providence, \$250,000; New Orleans, \$230,000; Cleveland. \$325,000, and Washington, a city of long distances, low houses and wide streets, \$235,000. New York will expend for street lighting in 1901 \$2,745,000 for gas and electricity. Of this total Manhattan uses \$960,-000. Brooklyn \$950,000, the Bronx \$350,000 Queens \$355,000 and Richmond \$130,000.

New York has in all nearly 60,000 lamps. gas and electric. There are 30,000 in New York and the Bronx, of which 24,286 are gas lamps, 4,538 electric and the others naphtha | Jose, one in the mountains of San Bernarlamps. Brooklyn has 11.015 gas lamps and dino sends electric power to Los Angeles, 4,603 electric lamps. Queens borough, the and the Snoqualmic Falls Power plant carmost extensive division of New York to be ries power to Seattle and Tacoma, Wash. lighted, has 3.839 gas lamps and 2.106 elec- One of the most interesting projects of this tric lamps. Richmond, the most progressive kind now under way is that undertaken by of the boroughs of New York in this par- President Hill of the Great Northern railticular, has all electric lights—no gas. Of way, by which it is proposed to run cars these 2.883 are incandescent tamps and 382 on that road between Skykomish and Leavare are lights. There are, moreover, 100 | enworth, a distance of sixty-six miles, by oil lamps in use in the borough of Rich- electricity, the power to be supplied by some

lighting plants being capitalized at a total enthusiasts. of \$110,008,000. New York comes next with \$102,056,000; New Jersey, \$64,429,000; Cali-

forgia, \$50,192,975; Massachusetts, \$45,375.
800; Illinois, \$30,156,550.

Cheap Power in the West.

The following statement concerning electricity and water power in California and pther parts of the west was made public by the divising of hydrography of the United States Geological survey: "Electricity generated by water seems to be the destined cheap power for California and for other portions of the arid west where coal is scarce or too expensive for profitable use. The conditions in California are particu-The conditions in California are particularly favorable for rapid advance in this direction. They are briefly, first, the high price of fuel, and, second, a fortunate combination of favorable conditions of climate, topography and water resources. By reason of these conditions California has reason and enterphone and telephone, and is so constructed as to magnify sound at least five times. It is intended to supersede ear trumpets and conversation tubes.

Valdemar Poulsen, a Danish electrical bination of favorable conditions of climate, topography and water resources. By reason of these conditions California has made an enviable name for itself in the last twelve years by its energy and enterprise in the development and transmission of electric power, and it still holds a position among the foremost, in this regard. The coal used in southern California comes from Alasks, British Columbia, New Mexico and even Australia, and soft coals sell for from 36 to 510 per ton. This almost prehibitive price for fuel, while it has made power very expensive and greatly retarded the manufacturing progress of the state, has also given a strong impetus to water and electrical advancement. The advantages California lacks in coal deposits and prices it possesses in a marked degree in other respects. It includes within its houndaries high longitudinal mountain ranges which are snow-capped throughout the year, and from which flow numerous streams of very heavy gradients, furnishing ideal power for the operation of electric urrent by permitting a high order of insulation of the line. In this way power is transmitted over long distances, considerably further than also and six ounters. A colar line of the state are also an aid to this development. The average low relative but midity of the atmosphere greatly aids in the fransmission of the electric current by permitting a high order of insulation of the line. In this way power is transmitted over long distances, considerably further than also and six ounters. A colar line of the colar in the form of an engles of the other of the state are also an aid to this development. The average low relative but middly of the atmosphere greatity aids in the fransmission of the electric current by permitting a high order of insulation of the fransmission of the electric current by permitting a high order of insulation of the line. In this way power is transmitted over long distances, considerably further than also was a large to the form of the first of the country. A colar line of the

## Life in the Ocean

How Big a Crop of Fish it is Safe to Harvest.

the quantity of fish which may properly be and other plants of considerable size, which ment of nitrogen compounds taken from the seas every year appears to are found only along the shore. The other be no casy task. Some years the yield is better than others, but this is largely a matter of luck. It is only after a long though not flourishing at great depths. series of failures to catch the old-time Plants need light, whether their abode be abundance of mackerel, herring or cod that terrestrial or marine. Herr Brandt quotes one can tell that there is an actual diminution in the production. And even from atatistics of this kind only an approximate capture in a single season.

It is believed, however, that there is a wires and poles which cumber the cities of New York Tribune. In the ocean, as on its support. There are many carnivorous square iron boxes imbedded in the street creatures in the water, but the little fishes duce the same effect in the ocean and owbetween the tracks and fed by an under- and animalculae on which they feed live ground current, ingeniously cut off when on plants. And in the water, as on land, not in use, and the power taken up by a plants derive their sustenance from inthoe on the car. The boxes may be placed organic substances which they manufacture at a distance of ten feet, if desired, and it into living tissue. If, therefore, such a has been demonstrated that there is no survey were made of the seas as would show how much vegetation was produced ing in contact with them. Within each box there, then it might be possible to figure out the amount of animal life that could be sustained thereby. Thus, it has been found that an acre of cultivated land in Prussia will produce about seventy-five pounds of inserted into a pressed steel armature, beef a year. There are naturalists who hope to establish a similar ratio between the vegetable and animal life of the ocean. Karl Brandt, in a paper which has been translated for the latest volume of Smithsonian Reports (1900), tells something about their plans and methods.

In the sea there are two general classes species of bacteria which have the power cleared up.

in existence. There are a number of other FIRST NATIONAL THANKSGIVING | a strong fervor of religious sentiment. It current is on, the armature in the box is interesting electric plants in California bedrawn up in contact with the cover of the sides that on the Yuba river. One on the North Fork of the San Joaquin river, in and with a sufficient surface to allow the the east central part of the state, supplies power for light and general purposes to the city of Fresno and surrounding town distant about seventy miles. On the difshoe is in contact with the projecting part ferent branches of the Kern river there of the box, the boxes and shoe are then are several plants, some of which are inalive, but as soon as the car passes from tended to furnish power for the city of Los over said point the armature yields and Angeles, situated 198 miles away. To the drops by gravity to its normal condition. San Antonio Light and Power company, however, belongs the credit for the erection of the first plant for the long distance upon the number of boxes and amount of transmission of electricity in the United feed wire used to the mile. The road now States. In 1892 a current was delivered over the lines of this company to the cities of approached Philadelphia congress rein-Pomona and San Bernardino, a distance of long and with the boxes ten feet apart, eighteen and twenty-eight miles respectively, at a line voltage of 10,000 volts, atachievement hitherto unheard of. These boxes within five or six feet and use a shoe and other plants are all run by the spienof eight or ten feet. The cost of construc- did water powers of the state, and the tion is much less than the trolley system. great possibilities for further development or even the third-rail system, and there is are limited only by economic needs. Much less danger, as the boxes through which the attention through a series of years has power is derived are alive only when a car been given to a careful and systematic study of the streams of California, to se-One of the tests made last week was to cure the data on which depend their deposes. Most of this work has been done by the United States Geological survey as way men who were present the car moved a part of its general investigations of the

The completion of the second great wheel pit of the Niagara Falls Power company calls attention not only to the greatest electimes, but also to the wonderful develop- and issued the first national Thanksgiving ment in power transmission in all parts of proclamation. the globe since the Niagara cataract was turbine wheels, working under a head of man from South Carolina, was unanimously Him to prosper the trade and man the huselectrical energy estimated at 55,000-horse power, made up of eleven units of 5,000-horse power each. This achievement at Niagara Falls is the parent of many wonderful power transmission plants that have been successfully installed in various parts of the country, and which indicate the almost limitless possibilities of this kind of power production. The one on the Upper Yuba river, California, furnishes electricity to run the street cars in Oakland and San of the streams that abound in the Cascade According to the tabulation made by the mountains. These are only a few of the Electrical Review, Illinois heads the list in more notable power transmission plants number of separate electric light stations. which indicate that the achievements in having 258, against 228 in Pennsylvania, 201 the work of yoking electricity and hydraul-In New York and 188 in Ohio. Pennsylvania les in the next quarter century will be far has the largest capitalization, however, its beyond the dreams of modern engineering

line. In this way power is transmitted over long distances, considerably further than elsewhere in this country. A cotable instance of this is the power plant on the Yuba rive. In the Sierra Nevada mountains, where electricity is generated which operates the streat cars of Oakland, 140 miles away. Power has also been used over the same line at San Jose, a distance of 190 miles from the generating plant. This is said to be the longest line of power transmission.

embraces microscopic organism, each consisting of only a single cell, like the diatom, and distributed all over the ocean, Schutt as saying: "The sailor, who fancies he has pure water under him, really sails tion.

everywhere in the midst of a rich vegeta-And this microscopic vegetation it notion can be had of the right amount to is which sustains animal life and which corresponds to the pastures where sheep and cattle fatten. The scaweed along the shore bears about the same relation to the fishes as the forests do to land animals, so far as furnishing food is concerned. The growth of terrestrial plants is facili-

tated by the presence of certain compounds of nitrogen. These same fertilizers proing to drainage from the land they are more abundant near shore than out in midoceau. but that they are intimately connected with the development of animal as well as vegetable life there is easily proved. In Germany much attention has been given to raising carp. Susta, who has written on the subject, says that in the poorest ponds the yield is about eleven pounds of fish to the acre. The better ponds produce from theree to eix times as much, whereas still others, into which liquid fertilizers drain from farms, give results about twenty times larger than those first cited. Consequently, in the researches which are now being conducted into marine life the chemistry of the sea water as well as the abundance of microscopic vegetable and animal forms is carefully considered. Attention

To estimate with any degree of precision of vegetation. One includes seaweed, kelp of promoting and retarding the develop

When one reads about a "plankton" ex pedition he may understand by that expression a ship which is equipped with apparatus for bringing up samples of sea water for such an investigation as has just been described. A net of very fine mesh is emto bring up a vertical column of water at considerable depth. Pains are taken to count the various organisms found in a given volume of fluid. Owing to the incresant stirring up of the sea, figures for one locality are believed to be fairly representative of a wide area. But an ideal survey of this kind would embrace frequent observations through a full year; and, though work of this kind has been carried on in all latitudes in the last dozen years, some of these inquiries extended through only a few

months. Two results have thus far been reached by such investigations. Microscopic vegetable and animal life is found to be more abundant in shallow near than in deep ones Herr Brandt accounts for this fact by supposing that the fertilizing material from the land is less diluted in the former regions than in the latter. The other conclusion which has been reached is that life is more abundant in arctic than in tropical vaters, thus reversing the situation which exists on land. To explain so strange an anomaly, it is suggested that one nutriment is more abundant in cold seas than in warm ones, though just why this should be so it is not easy to say. Perhaps the bacteria which favor the production of nitrogen compounds are more numerous in the one zone than in the other, or, perhaps, the other kind, which breaks up and spoils those compounds, is in excess in tropical climates is also given to the presence of those But this is a point which has not yet been

Observed in 1777, During Progress of Revolution, to Celebrate Sur-

render of Burgoyne.

The first national Thanksgiving was observed in 1777, during the progress of the Carolina was president of the continental endeavoring to impede the progress of the Brandywine. As the American army vested Washington with extraordinary powers and adjourned to Lancaster, the largest inland town in Pennsylvania. Only one day's session was held there, when

congress moved to York, about twenty for solemn thanksgiving and praise, that miles westward, across the Susquehanna river, a wide stream difficult or navigation. York was then a town of 1,500 inhabitants. When congress assembled there it beheld the chief cities of the union in the hands of the enemy and the American army, again defeated at Germantown, retreating before a conquering foe, toward a winter encamp ment twenty miles northwest of Philadel-Congress for nine months of the years 1777-78 held its sessions in York and while there heard the news of the surrender of Burgoyne at Saratoga, adopted the articles of confederation, received the news from Benjamin Franklin at Parls of the decision of the French government to aid the Americans in their struggle for freedom

For one month after congress as-Some statistics as to the cost of street first harnessed. This second wheel pit. sembled in York, John Hancock, who had instruments under the providence of Alwhich was cut through the solid rock, is sembled in tork, John Hancock, who had heen elected two years before, was presided for legel to the intercession of Edmund Burke, the wide. At the bottom of this pit will be the Boston Henry Laurens, an eminent states, because for these United the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the intercession of Edmund Burke, the greatest of all blessings—indergreates or at the greatest of all blessings in the intercession of Edmund Burke, the greatest of all blessings in the intercession of Edmund Burke, the greatest of all blessings in the intercession of Edmund Burke, the greatest of all blessings in the intercession of Edmund Burke, the greatest of all blessings in the greatest of a Boston Henry Laurens, an eminent states-

On October 30, 1777, soon after congress received the news of the brilliant victory of Gates at Saratoga and the surrender of the entire British army under Burgoyne, Henry Laurens, as president of congress, ap-pointed Richard Henry Lee of Virginia, Samuel Adams of Massachusetts and General Roberdeau of Pennsylvania a committee to prepare a proclamation of thanksgiving. This historic document was drafted by Richard Henry Lee, who a little more than one year before had offered the innocent, may be unbecoming the purpose motion in congress that "these thirteen colenies are, and of right ought to be, free and sion." most distinguished of the revolutionary sent the following letter to each of the patriots and statesmen and served on more governors of the thirteen states: committees in the continental congress than any one of his associates in that historic body, noted for its eminent men. This proclamation, which is comparatively unknown to the average student of American history, is a document of historic value and importance and is presented in full below. It is a model of excellent English and illustrates

"Forein as much as it is the duty of all men to adore the Superintending Providence of Almighty God, to acknowledge with gratitude their obligations for benefits received and to implore such further blessings as they stand in need of, and it having pleased Him in His abundant mercy not only to continue to us the many revolution, when Henry Laurens of South bounties of His common providence, but also to smile upon us in the prosecution congress. In September of that year, while of a just and necessary war, for the de-General Washington with a small army was fense and establishment of our rights and liberties, particularly in that He has been British, he was defeated at the battle of pleased in so great a measure to prosper the means used for the support of our troops and to crown our arms with the most signal victory. It is therefore recommended to the legislatures or executive powers of these United States to set apart Thursday, the 18th day of December next, with one heart and one voice the people of this country may express the grateful feelings of their hearts and consecrate themselves to the service of their benefactor and that together with their sincere acknowledgments they may join in a penitent confession of their sins, whereby they had forfeited every favor, and their humble and earnest supplication may be that it may please God, through the tarrits of Jesus Christ, mercifully to forgive and may please Him graciously to shower His blessings on the Government of these States, respectively, and prosper the Public Council of the whole United States: to inspire our commanders, both by land and sea, and all under them with that wisdom and fortitude which may render them fit

> crease, to take schools and seminaries of education so necessary for cultivating the principles of true liberty, virtue and piety under His nurturing hand and to prosper the means of religion for the promotion and enlargement of that kingdom, which consists of righteousness, peace and joy in the Holy Ghost. "It is further recommended that servile labor and such recreation as at other times

Him to prosper the trade and manufactures

bandman that our land may yield its in-

of this appointment on so solemn an occaindependent states." He was one of the The next day the president of congress

Teacher-Miss Milyuns, how do you parse "bread Miss Milyuns-I usually let the butler pawss it.



Sdith (aged 6)-Say, pop, what is sheet music? Her Papa-Sporing.

The Sale Annually of Millions of Bottles

of Syrup of Figs and the universal satisfaction which it has given attest the fact that it possesses the qualities which commend it to public favor. With the diffusion of knowledge of what a laxative should be and a general uncerstanding of the fact that it should have a truly laxative and beneficial effect and be wholly free from every objectionable quality or substance, the large and growing dedemand for

Syrup of Figs

shows that it is destined to supplant the old-time cathartics which were generally injurious and usually disagreeable as well. In Syrup of Figs one finds a true laxative, simple and pleasant to the taste, gentle in its action and beneficial in effect.

In the process of manufacture figs are used as they are pleasant to the taste, but the medicinal virtues of Syrup of Figs are obtained from an excellent combination of plants known to be medicinally laxative and to act most beneficially.

To Get Its Beneficial Effect

Buy the Genuine-Manufactured by the

Louisville, Ky. For sale by all druggists New York, N.Y.

Price fifty cents per bottle.

gress for that purpose.

Your Excellency will be pleased to take the necessary measures for carrying this resolve into effect in the state in which you preside. You will likewise find enclosed a certified copy of the minute which will show Your Excellency the authority under which I have the honor of addressing you.

ing you.

I am with great esteem and regard, sir
I am with great esteem and regard, sir ervant. HENRY LAURENS.

President of Congress. Your Excellency humble servant. Henry Laurens before the revolution had been a successful shipping merchant in Charleston. In 1774, while in London for a time, he was one of thirty-eight Americans who signed a petition to Parliament in order to dissuade that body from passing the

blot them out of remembrance; that it Boston port bill. He served one year as president of congress, then accepted the appointment as minister to Holland, but was captured on his way there by a British man-of-war off the coast of Newfoundland. He was taken to England, examined by the privy council and for fifteen months imprisoned in the Tower of London for alleged treason. He was finally set free by Lord Cornwallis, who was captured at Yorktown. Henry Laurens then went to Paris and with Benjamin Franklin and John Jay, in 1782, signed the preliminary treaty of peace between England and the United States. This was the last political act of his life.

> The best bargains in the paper are on the want ad, page. Don't miss them.

SUPREME COURT SYLLABI.

No. 19458. Worthen against Johnson ounty, Error from Johnson. Affirmed.

No. 10458. Worthen against Johnson County, Error from Johnson. Affirmed. Holcomb, J.

1. All criminal prosecutions must be by and carried on in the name of the state of Nebraska. Sec. 24, article vt. constitution.

2. The liability of a county for the per diem and mileage of defendant's witnesses in a prosecution for a felony, even though an acquittal follows, must arise by some express provisions of the statute and not by implication.

3. Prior to the amendment in 1885 of section 461 of the Criminal Code, a county was not liable for defendant's witness costs where he is indicted for a felony. Hewerkle against Gage County, 14 Neb., 18.

4. Under the provisions of section 461 as amended a county is liable for the per diem and mileage of witnesses for the defendant in prosecutions for a felony when the defendant has been convicted and is unable to pay such fees, or where he is acquitted, only when there have been filed in the case the affidavits required by that section and an order of court entered that such with nesses not exceeding the number limited be summoned and paid their witness fees from the county treasury.

5. Petition held not to state a cause of action.

No. 10472. Dodds against McCormick Har-

tiff.

2. When in the computation of interest a mistake is made and more than 10 per cent is charged the contract will not for that reason be declared usurious.

3. Before a contract may be declared usurious there must be an agreement between the parties to charge and receive a greater rate of interest than that allowed by law.

4. Action of trial court in withdrawing from the jury the question of usury held proper.



## **DOCTOR** Searles & Searles **OMAHA** SPECIALIST

Most Successful and Reliable

Specialist in Diseaser of Men. VARICOCELE

Are you afflicted with Varicocele or its results Nervous Debility and Lost Mem ory? Are you nervous, irritable and despondent? Do you lack your old-time energy and ambition? Are you suffering from vital weakness, etc? There is a derangement of the sensitive organs of your Pelvic System, and even though it gives you no trouble at present, it will ultimately unman you, depress your mind before it is too late? WE CAN CURE YOU TO STAY CURBD UNDER WRITTEN GUARANTEE. We have yet to see the case of Varisocele we cannot cure. Medicine. electric belts, etc., will never cure. You need expert treatment. We trent thousands of cases where the ordinary physician treats one. Method new, never fails, without

cutting, pain or loss of time. STRICTURE Home treatment; new, and GLEET cure without instruments; no pain, no detention from business.

and CLEET cure without instruments; no pain, no detention from business.

URINARY Kidney and Bladder Troubles, Weak Back, Burning Urine, Frequency of Urinating, Urine High Colored or with milky sediment on standing; Genorrhoea, Gleet.

SYPHILIS cured for life and the poison the system. Soon every sign and symptom disappears completely and forever. No "BREAKING OUT" of the disease on the skin or face. Treatment contains no dangerous drugs or injurious medicines.

(VITALITY WEAK) made so by too close application to business or study; savere mental strain or grief; EXCESSES in middle life or from the effects of youthful follies.

WEAK MEN OR VICTIMS TO NERV-OUS DEBILITY OR EXHAUSTION. WASTING WEAKNESS, with EARLY DECAY in YOUNG and MIDDLE-AGED, lack of yim, vigor and strength, with creams in approaching old age. All yield rapidly to our new treatment for loss of vital power.

**Home Treatment** 

One personal visit is preferred, buf if you cannot call at my office. write us your symptoms fully. Our home treatment is

WEAK MEN

successful and strictly private. Our counsel is free and sacredly confidential. Consultation Free. Treatment by Mail

CURES CUARANTEED. CHARGES LOW Dr. Searles & Searles, Omaha, Neb. N. E. Corner Douglas and Fourteenth Streets.

commissioner district does not thereby succeed to and hold the office of commissioner from such other district after the expiration of the incumbent's regular term of office.

4. In mandamus proceedings to compel a county officer to call an election in one commissioner district a determination that a vacancy existed in such district because the commissioner elected therefrom had, by a change of boundary lines, become a resident of another district is not an adjudication that such commissioner would succeed the regular incumbent from such other district upon the expiration of the such assistants, time of service and compensation.

Where a sheeff commissioner a stenographer

nesses not exceeding the number limited be summoned and paid their witness fees from the county treasury.

5. Petition held not to state a cause of action.

No. 10472. Dodds against McCormick Harvester Machine company. Error from dage. Affirmed. Holcomb. J.

1. A petition declaring on a promissory note which is copied therein and from the silegations of which it may be inferred that the sum alleged to be due was due from the adverse party to the plaintiff states a cause of action, although it is not alleged in direct terms that the sum claimed is due from the adverse party to the plaintiff.

2. When in the computation of interest a mistake is made and more than 19 per cent is charged the contract will not for that reason be declared usurious.

Onlice.

In mandamus proceedings to compet a county officer to call an election in one counting officer to call an election in one county officer to call an election in one counts sheriff to because the county officer to call an election in one counts sheriff to be cause it is completed. The provisions of section 42, 1. Under the provisions of the commissioner would all didication that such commission

ular term to be filled at the succeeding general election.

5. The title to an office cannot be tried and determined in an application for a writ of mandamus. Truesdell v. Plambeck. 36 Neb. 40.

6. The judgment or final order of a court or of a judge stiting at chambers must be founded upon and within the issues made by the pleadings.

7. A peremptory writ of mandamus must in all essential respects conform to the alternative writ.

No. 9105. Bee Publishing Company against World Publishing Company. Error from Douglas. Judgment of affirmance vacated. Reversed and remanded. Holcomb. J. Sullivan, J. dissenting.

The steady and receive a greater thouse there must be an agreement between the parties to charge and receive a greater the parties to charge and receive a greater the Action of trial court in withdrawing from the jury the question of usury held.

A charge of trial court in withdrawing from the jury the question of our purposes of the proposes of the parties of