### IN THE FIELD OF ELECTRICITY | acquisition by American capital of contro

Review of the Progress of the Industry During the Past Year.

GAIN OF FIFTY PER CENT IN MANY LINES

Some of the Great Contracts Awarded -Increased Use and Reduced Rates for Current-Prospects for 1903.

Thomas Commerford Martin, editor of the Electrical Word and Engineer, contributes

to the New Year issue of the New York Times the following review of electrical progress during 1902: The United States census returns of elec-

trical manufactures in 1900, published this year by the writer as expert agent for the government, revealed a total of close upon \$105,000,000. Allowing an increase of 20 per cent each year since the figures were compiled, a total output of \$150,000,000 for 1902 is reached.

gain this last year has been 50 per cent. No line of production has shown greater activity, though some may have yielded electric street car service for telegraphic and telephonic facilities, an annual outlay on electricity is exhibited of between \$500,-000,000 and \$600,000,000.

There are not many lines of industrial and financial enterprises that can exceed capital obligations in the field have atrailroad system of the country. Considering that this system has itself begun timidly but surely the process of electrification, it would seem that present electrical production is soon destined to be eclipsed and that next after the work of consolitask involved in changing their motive power.

In fact, the department of transportaleast, if not to other citizens, it will suffice to point out the tremendous changes that impend for him as a result of the developments of the year. Of a sudden he finds himself confronted with the fact that in addition to an extensive and indispensable network of underground electric lines, he is to be furnished with main electric railroad tunnels converging on Manhattan island from every point of the compass. One might be bold enough to say that without electricity none of these operations so necessary to the comfort and convenience of millions of people would have been undertaken.

An investment of \$240,000,000 to improve transit facilities depends directly upon the electric car and the electric locomotive, with the obvious corollary that no small portion of these millions will go into such apparatus and auxiliaries, power stations, circuits, etc. Even from this point of view alone the confidence felt by the electrical with or separate from electric railway or upon the very day of that worthy's dismanufacturer in 1902 as to his outlook is lighting work, has absorbed large sums of more than fustified.

The "Third Rail."

Moreover, the rather discouraging experience of the adoption of the third rail not subject to the caprice of walking delemethod on the Manhattan system is re- gates. Aside from the long distance work passion for the elegancies of gold and silgarded as so entirely incidental to unfor- exploited out in California or in the ver, and her most valuable personal jewels tunate management that, while the electrical engineer resents it, be sees in it no spanning 220 miles—the notable illustration responsibility. Her bushand often laughed "Things?" trical engineer resents it, he sees in it no spanning 220 miles—the notable illustration responsibility. Her husband often laughed detriment to future third-rall work on is still to be found at Niagara. transportation routes, Indeed, it may be noted that, thanks to the "third rail," the public has already traveled in greater speed and comfort than ever before within the confines of the island, and has responded with such alacrity that the increase in fares is without precedent. This again implies further demand for apparatus to such an extent that it is already intimated as likely that the system will need 10,000 horse power more of generating plant when

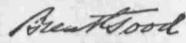
all its lines call for current. In the meantime the success of the third rail system in this country, as well as at Liverpool and Berlin, has brought here this year the managers of several English trunk roads which are now laying their plans for its adoption, and which, like many other transportation enterprises on the other side, will require part or all of their machinery from us. Incidental to this, let it not be forgotten that 1902 has seen the

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bility. If not, you get your box; 6 for \$5.00, maile ! in

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acquisition by American capital of control way development in the British metropolis A technical feature not to be overlooked in this connection is the award of a contract during the past year for a long 'crossountry road to be operated by the alternating current, namely, that between Washington, Baltimore, Annapolis, etc., while analogous work is in hand in other parts also. Hitherto in America, and with but one or two exceptions in Europe, all electric railway work has been done with direct current, although this has often been generated as alternating and transformed

to direct at sub-stations for use. Now, if the newer methods win out, the advantages of the alternating current for high pressures, long distances and small wires wil be enjoyed without all the expensive transformation paraphernalia and osses. It is a development devoutly to be wished and closely to be watched.

course of expansion and has little to to hold it. Oh, it's fine, Gladys," he added record but prosperity and the annexation temptingly as Mrs. Brooke's pink cheeks one tonight. I went in after a pin before women cooks. of new territory. The only new devices began to flush with impatience. of great value put on the circuits are the mercury vapor lamps of Peter Cooper In many lines of electrical industry the Hewitt and the glower lamps of Nernst, both affording illumination that fits into specific fields of utility, and, while adding black shirt front with a big pearl stud and to the resources of the art, bid fair to inlarger profit. When to this amount are crease the revenues of the central stations. added the various sums expended by the Heating appliances have also improved and American public for electric lighting, for increased in variety and the difficulty of getting coal to the private house has made many a man study the feasibility of doing more of his cooking and warming with such clean and dainty domestic accessories.

But the greatest increase in central sta tion income has come from plain light and this, and it need not surprise us that the power. The New York Edison company has signalized a year when everything went up tained a figure this year not less than one- in price by reducing its rate for current, quarter of those quoted for the great steam although its fuel cost more, and one result of such an action has been to reduce the number of isolated plants which in New York, as elsewhere, have thriven while the cost of current is high.

As to electric power, the growth in 1902 was simply phenomenal, so that the comdating the steam roads will come the equal pany just mentioned is doing thirty times as much of it as it did ten years ago. The opportunities in this direction are virtually illimitable and none the less real because tion alone would serve to test the im- of their magnitude. The census statistics portance of electricity to the community show that in 1900, of all the power used during 1902, and to the New Yorker, at in American manufacturing establishments, barely 4 per cent was then electrical.

The margin of possible occupation thus presented is such as few industries have ever had opened up to them and is enough to explain the intense activity of factories producing electric motors. Another explanation lies in the astounding fact that in America, home of invention and ingenuity, land of machine processes and intensified methods, two-thirds of the shops out of over 500,000 depend on hand labor. An enviable arena of opportunity lies there, and under a regime of electric power possibilities of production on a colossal scale loom up, while giving to every workman his chance at individual expression in his wares. It is a significant fact that in 1902 the output of small motors for just that kind of use was unusually large.

Power Transmission. Power transmission, whether associated during 1902, and the coal strike marked up the values of waterfalls in a

The last year saw extensive operations nessed upon the Canadian shore the beginning of a plant which will shelter the biggest dynamos yet built. These machines now | tiful Brooke diamonds was always finding being put together in New York state will new and secure hiding places, and Gladys have a capacity of over 10,000 horse power alone knew its abode. each, generating current at a potential of 12,000 volts for the line. Three of them are to be set up at once. And while all around and Mr. Brooke very busy. Niagara itself such power is being consumed in increasing quantities steps have said one evening. "He has been to consult

far away as Toronto, seventy miles off across the lake. Telegraphy is not altogether dead, nor is t adheres to the time-honored key and sounder, and unfortunately looks askance at machine telegraphy which alone can cheapen it. While wireless methods are coming in for a great deal of work hitherto ione by submarine cable, it is memorable that 1902 saw an all-American cable laid in the Gulf of Mexico, 540 miles in length, entirely unaware of the sharp eyes that and that an American company began laying a Pacific cable that will join San Fran-

cisco with all the cities of the far east. Wireless telegraphy has, however, a trade of its own to foster, whether it cross the the big stranger who had been seen on the the others right here." Atlantic or not for regular service, and ast year as much as \$300 was picked up on single trips from the passengers on ocean liners sending or receiving Marconigrams. the new art has ceased, and patient merit is slowly coming to its own.

There are so many branches of electrical Mrs. Pruden's carriage. endeavor one cannot note them all, and some are in less hopeful state than others. Thus the wild speculation in automobile dress suit. stocks has seen market paper values of standing reduced to about \$7,500,000 at present quotations.

Yet electric autos are multiplying all the same, and there is a strong current of hopefulness about them, whether with existing guess, or it was that new ale. You wake head. storage batteries or the better ones promsed. Telpherage, the new art of aerial of freight and supplies, by traveling motor, is remarkably active, and, although a novelty in 1902, a great number of useful plants were installed all over the country, while arrangements were made by leading con- the kitchen, and at the far end of the hall corns in Europe to take it up there.

But all this more novel extension of electrical ideas and methods is well summed up in the little facts that last month the city the door of a closet. of Chicago found it necessary to appoint an X-ray expert to watch cases where his evidence would be helpful, and that one of the items of a large and growing export electrical trade was the delivery by a Philadel-X-ray outfit, to be used in the national mint to detect how many of the employes have a limp form into a bed chamber and laid placed gold coins on deposit in their it gently down. stomachs. Electricity is not only opposed naturally to the withdrawal of the precious Holley. way is doing more to increase their supply ployment for labor and intelligenca.

Your great man shines before the popu lace in vain—without the newspaper. He self. "I'll keep an eye on my sleeping spread-eagles the constitution in vain- beauty and see that he doesn't wake. Unwithout the newspaper. His clarion voice wakes up the universe in vain-without the newspaper. His most assounding financial voice, his walk, his motions—now he wants enterprises serve him in vain-without the to get the information, and he will if any- Farquhar, and his work begins. First of newspaper. His scientific researches and body can. I'd like to hear him work it." achievements are in vain-without the newspaper. His wireless telegraph would man in the white dress suit admiringly, articles come in, checks each item, and be an accomplishment of small merit-without the newspaper. His moving sermons, thought. rattling hell fire in the faces of sinners, swinging his hand, or steps just as he does, check in payment. are vain-without the newspaper. His successes in every walk of life are vain-without the newspaper. The newspaper is the fame-maker of the age. Of course, some of sitting a little apart from the crowd, alone for dinner-commences. That over, the the fame is cheap, but it satisfies the living for a moment. The man sat down by her wearer of the cloak, even though posterity and drew a long breath as if tired. may change it .- New York Press.

## The White Dress Suit Short Story by ELLIOT WALKER.

"What are you going to wear, Shermant" Gladys Brooke put down her coffee cup and fixed her sparkling eyes inquiringly upon the face opposite.

Her husband laughed. Well," he said, "if I am foolish enough tending a masquerade ball I am bright enough to keep the secret of my costume to myself. I don't believe I shall tell you, my dear."

"Now, that's what I call mean," cried his pretty wife in consternation. 10" course you'll tell me, Sherman. I told you all about mine."

The big lawyer smiled indulgently, "I don't know," he said slowly. "I am New Inventions.

afraid you will let it out. It's such a splendid idea that I fear you will not be able

> "I'll never breathe a word to a soul, ahe asservated. "Please tell me." "It's a white dress suit, then," said Brooke, "White mask to cover my face, white shoes. What do you think of it?" "Splendid," exclaimed the lady with enthusiasm. "Won't people know your figure, though?"

"I guess not. All men look alike in black dress suits, and I imagine no one will know me."

Whose idea was it? You never thought f such a bright thing, Sherman?" The dapper new butler, standing silently n the corner, smiled faintly as Brooke

pointed at him. "Holley told me," said Sherman with a augh. San Francisco with great success. I can of my brown trunk." get it made of cheap cloth, and have a false bosom cut out of black batiste, that will do nicely."

His wife beamed proudly upon him. "You will be grand," she cried; "simply

grand." She was proud of her husband's manly proportions, and the notion impressed her. "Just a week from tonight, and we will be getting ready," she observed. "It will take me a good while to dress. We must have dinner early, Holley, and you will have to help Mr. Brooke, and keep house for us. I'm sorry we can't go together, Sherman, but I'm going with Mrs. Prudden, and she is on the reception committee and has to be there early. You need not come

when we unmask." "Mr. Brooke's suit is already being made, ma'am. I'll attend to everything," said the butler

His keen, smooth-shaven face was impassive, and his low voice pleasing and espectful, as he inclined his head toward his mistress. He had been in the Brooke's employ only a few weeks and was proving treasure. Quick, quiet and intelligent, he was already making life more comfortable for them in many ways and they regarded him with grateful eyes. Armed with high references from people of promipence in a far western city, he had slipped into the shoes of his erring predecessor charge. Thomas' predilection for the decanter had led to his downfall.

The Brookes were very well to do, and most extraordinary manner. Those sources their silver was the admiration of the of energy may suffer from drouth, but are many friends who dined at their hospitable board during the year. Gladys had a at her habit of hiding these ornaments

do not mean that anyone shall know." So the little casket containing the beau-

Throughout the week preceding the great society event Holley was very thoughtful

"I've a queer client on hand, Glady," he been taken the last year to deliver it as me half a dozen times lately. Not a gentleman, exactly, but very intelligent and a perfect shark for getting advice. Some mining claim that he has, and he tires me t sleeping, even if for the bulk of its work all out asking questions. I am about rascal is in the hall yet." through with him now, thank goodness. He

pays well, though." walking behind the lawyer, and remarked carriage stop, then careful steps. upon the similarity of the physical appearance of the two men, but Mr. Brooke was noted his peculiarities of stride and swing. If he had, and had known that his inquisitive client with his long nose and

street so near him he might have thought it strange-or he might not. mensions protruding from the window of cold.

mirror in his dressing room in his white house and hastened up the stairs.

"It fits beautifully, Holley." he said believe I'll take a little nap. I've felt it isn't you? What in creation is it?" drowsy ever since dinner-ate too fast, 1 me in twenty minutes, Holley."

He stretched himself on the divan, asleep.

Then the butler listened carefully. Below he heard the distant voices of servants in ball." the song of a nurse crooning to a little child. Then he stepped across the hallway to a seldom used room and unlocked "Come, Ike," he whispered. "All ready

for you now." A few moments' manipulation of a bottle and sponge, a quick undressing of the senseless figure, five minutes' more of

"I put a few drops in his beer," said your carriage. Good night, Mr. Brooke,' the steps. "Good night," responded the hearty

voice, exactly like the butler's master's. "He's perfect," said the butler to himless the madam comes home unexpectedly there won't be a hitch. Ike's got his Gladys Brook had been watching tho "I would know him in a minute," shehope he will come and talk to me soon." But it was a long hour before the white figure swung easily to her side. She was

"You haven't given out so soon, have you?

"No," said he, "I'll stick it out, I guess. am enjoying it." The masqueraders surged up to them and away as Gladys chattered brightly and made guesses at random. Every little while allow myself to be invelgled into at- a gap in the immediate crowd would leave an opportunity for more extended talk. "I am glad you did not wear your jewels tonight, Gladye," he began.

> sheperdess decked out in my diamonds." is no sort of protection."

you mean, Sherman?" "Why, I certainly saw them in the upper

I left the house. I can't be mistaken." "You are," cried Gladys. "I never put them there." "Well, I had them in my hand, and I ought to know," returned her companion. "You may have intended to have put them

somewhere else, and forgot it. I think I would try a safer place, my dear." His tone was so convincing that Gladys was quite upset for the moment. The the city of Washington with bloodhounds. crash of the orchestra, the clamor of many voices, all tended to disturb her train of thought as she tried to recall the exact his two hounds in pursuit of the circumstances of her last mysterious disposal.

"Sherman Brooke," she said at last. "I remember distinctly wrapping that casket in a silk petticoat and tucking it into the left hand corner of my third bureau drawer. "He said he saw it used once in There. Before that it was in the bottom

The man laughed softly.

through the laughing groups.

until 9 o'clock. The intermission is at 11, flected. "How foolish."

him inquisitively. "Know me, Mrs. Brooke?" he inquired cooly. "Why, no. Who is it? How did you

recognize me?"

"I never know where they are," he would My diamonds, you know. Mr. Brooke is so human beings they eccmed to be in their

Two minutes more and the officer leaped

into a cab outside. "To the station, quick, Tom," he He leaned back with a great sigh of relief. "So that's why he has dogged Brooke, I'll take Perry along and get there first. The

It would have been well for Holley had to tie my shoe." he looked out the window before he opened People on the busy street occasionally the door. As it was, he stood in the dim noticed a tall, well built, soberly clad man light with his hand on the lock, heard a

"You, Ike?" "Yes."

The door awang cautiously, inward. A spring, a strangling clutch, a flop. "Handcuff and gag him, Perry," whis pered Farley, his wiry fingers on the viclanky form occupied an obscure room with tim's windpipe. "No noise. We'll take

It was not a long wait. The officers' conveyance disappeared at a whistle. Another The week passed and the night of the rumbled up and stopped. The man in the masque ball came. Mrs. Brooke had rolled white dress suit and Brooke's inquisitive Better yet, the suspicious stock jobbing in away, gorgeously attired as a sheperdess, client were too surprised to offer much rewith a beribboned silver crook of great di- sistance. The revolver muzzles were too an irishman.

A rapid trip to the station with their Sherman was standing before the long prisoners, then Farley drove back to the Oi was one."-Philadelphia Press.

"Where am 1" muttered Sherman responding to a vigorous shake, "Oh, yes, \$98,000,000 authorized and \$45,000,000 out- proudly. "It's a great scheme. No one All right, Holley! time's up, I suppose. will know me except Mrs. Brooke. As my Went sound asleep, didn't I? Well, I'll feel coupe won't be here for half an hour yet, I better for a good nap. Why-why-Chief, He sat up wildly, pressing his aching

"Nothing to worry about." was the cheer ful reply. "Only that a certain shepherdess conveyance on overhead wire or girder rail yawned once or twice, and presently his has been talking too freely with a chap in sterterous breathing proclaimed him sound a white dress suit, and you will have to get a new butler. Lie down again, I guess you don't feel like going to any masquerade

> KING EDWARD'S HEAD COOK Draws a Salary of Two Thousand Pounds a Year and Has Titles to Burn.

King Edward's cook enjoys a salary of £2,000, about the same as a lieutenant genphis firm to the Japanese government of an rapid work and a big man in a white dress | eral in the army or an admiral of the fleet. suit, assisted by the little butler, carried It is more than many bishops get, and the keeper of the British museum has to be content with far less. M. Menager, whose reputation is second to none as a chef, is "It worked just right. Put on about 40 years old and a native of southern metals from circulation but yearly in every your mask now and do your best. Here's France. This autocrat of the king's kitchen does not sleep under the king's roof, but and to provide new opportunities of em- he called as his accomplice walked down has his private residence in a street not far away.

With the king's breakfast he has nothing to do: an artist could not be expected to produce three masterpleces in one day. So, at about 11 o'clock, the prince of chefs steps into a hansom and is driven to Buckingham, palace. There, in a large, sunny kitchen, overlooking the lawns, he receives the luncheon carte, drawn up by Lord all, he orders what will be required, and the master of the kitchen sees that all the then sends the account to Bir Nigel Kings-"No one else has that way of cote, the paymaster, who writes out

After luncheon is served M. Menager retires at once, to reappear at 6 o'clock, when the great event of the day-the preparation artist is free for the evening. It is worth noting that he owes his enviable post "Want to go home, Sherman?" she said. solely to hard work and-genius, for the

ook, like the post, is born, not made. An additional interest attaches to this cultuary autocrat because of the encouragement he gives to women cooks.

It has always been said that women can not attain to great heights as cooks and creators of dishes, and that, just as they fail to excel in music, poetry and painting. they fall also in the higher mysteries of cooking. It is very interesting to learn, on the testimony of the king's cook, that this is no longer true, however true it may have been formerly. M. Menager in the first chef to admit that women have any talent in this direction, and says that his women assistants do conceive great works for "Why, of course I wouldn't with this which he, as chef, gets the credit. For she responded. "Imagine a this generous concession women ought to decked out in my diamonds." feel very grateful, for, coming from such a "I don't think much of your present hid- high quarter, it well undoubtedly do much ing place," he observed. "An upper drawer to remove the popular notion as to women's lack of creative capacity in the kitchen. "They are not in the upper drawer, 1 And, further, M. Menager says that there put them in the third drawer. What do are renowned kitchens in London which have frequently served up linners so his royal master and are controlled entirely by

#### DOGS TRAINED TO HUNT MEN

Points on the Education of Bloodhounds Employed to Truck Criminats.

The first attempt to track a criminal in relates the Washington Post, was made recently when Detective Trumbo set murderer of Mrs. Kate Jordan in Aua- reported: costia, a few hours after the crime. In Washington it has been thought that blood-hounds would be of little service, and it is found that they can pick up the scent on asphalt pavement only with the greatest difficulty. Conditions in the Anacostia case, however, were different. The hunt for the murderer was going on with promise of swift success until a fall of snow covered the trail so effectively as to make it impossible, after the scent had been lost on servant having the lawful custody or conservant having the lawful "Well, let it go," he added. "Don't let swift success until a fall of snow covered.

us bother about it. Only look when you get home and make sure. Isn't that music unusually good? What orchestra is it?"

"Treadway's—it is fine," answered his victim. "Where are you going?"
"Out for a breath of air. My head aches. I may go home soon after we unmask. You will stay, I suppose."

"Yes, I'm going back with Mrs. Pruden. It may be 2 o'clock, but don't you stay. She watched the white figure push through the laughing groups.

"It may be 2 o'clock, but don't you stay. She watched the white figure push through the laughing groups.

"Treadway's—it is fine," answered his observed his other. Detective Trumbo's bloodhounds are ugly animals, but their looks belie their intelligence, as well as their aristocratic lineage, for which their owner prizes them. The dogs, now grown to be large, were pupples that he slid into his overcoat pockets when he bought them down in Tennessee. Now that he is not entitled to recover, a judgment in his favor is erroneous, though through the laughing groups.

Is an immaterial issue. But this rule does not apply when the plaintiff, his agent or servant having the lawful custody or construction over the property, consents to or requests the defendant to receive and dispose of it. In such case guilty intent is an essential element of conversion.

Hamilton. Reversed and dispose of it. In such case guilty intent is an essential element of conversion.

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La Judgment must be in accordance with the pleadings and record as a whole, and it the pleadings and record as a whole, from a course of education in Washington.

2. As a sale of real property is in equity through the laughing groups.

"He probably saw something covered up and jumped at that conclusion," she reflected. "How foolish."

Another man wearing conventional evening dress and a black mask glided to the vacated seat. The pretty shepherdess eyed in the ordinary dos play of locating things.

If om a course of education in washington. The first thing they learned was to respond to their names—Raymond and Mame—and then to a peculiar whistle that the detective composed for the purpose. Afterward came a course of kindergarten work in the ordinary dos play of locating things.

3. The personal representative of a deceased vendor may maintain a suit for example of the contract upder the property is in equity.

2. As a sale of real property is in equity accounts of a conversion of the land into money, except in case of a homestead, the vendor's interest passes to his personnal representatives on his death, and the legal title is considered to be held as security for payment of the purchase money.

3. The personal representative of a deceased vendor may maintain a suit for example of the contract upder the property is in equity. by scent.

The dogs, after sport with a ball, were taught to hunt for it. Mame from the start seemed to have the keener olfactory

there on both banks of the river, and wit- say, and Mrs. Brooke would smile back, "I set. I couldn't convince him that they were element. They have been very accurate in

Trumbo, who had ordered the "fugitive" to follow the creek. The hounds went to the summit of a bluff, but returned to the creek again. When the man was found Detective Trumbo asked him why he went up the bluff. At first he denied it, but, after thinking, said: "Oh, yes; I went up there

Christmas eve, when the dogs were taken to the scene of the Anacostis murder, the work of tracking men was not new to them. They obtained a scent of the criminal from a chair on which he had been seated, and followed his track directly to the river. The ancestors of the dogs are said to be the coldest-nosed inbred breed in the United States. Last July their mother, owned by J. W. McCall of Knoxville, Tenn., earned \$1,000 reward by running down a criminal eighty-three miles away and on a

Native Pride. "If I were not an Englishman," said the Briton, patronizingly, "I should wish to be

track twenty-eight hours old. The sire of

"Indade?" exclaimed the Irishman. Faith, if Ol was not an Irishman, Ol'd wish

ceased vendor may maintain a suit for specific performance of the contract under section 235a, chapter 23, Compiled Statutes

manufacturing and trading corporation is

SUPREME COURT SYLLABI.

WITHOUT ADULTERATION

The following opinions will be officially

4. Unless the property is a homestead the nilegations of the personal representative in such a suit, at least in the obsence of fraud and cultusion, are kinding upon all

party.

11 Admission in an answer that a contract for the sale of land was "executed" in the absence of anything to restrict the meaning of that form, admits that it was duly acknowledged when acknowledgment was necessary to make the contract valid and enforceable.

was necessary to make the contract value and enforceable.

12. But the meaning to be given the term "executed" may be restricted by the context, and will then cover such acts as the pleader obviously intended to refer to.

11048. Preston against Northwestern Gereal company. Appeal from Douglas. Affirmed. Hisstings, C. division No. 1.

1. An accommodation indorsement by a manufacturing and trading corporation is

manufacturing and trading corporation is siltra vires.

2. Evidence examined and held to sustain finding that lean was made to the signer and first endorser of note and the endorsement of the corporation, of which he was preaklent, appearing on the mote was made and accepted as an accommodation indersement and created no liability.

11588. Dufrene against Anderson, Error from Douglas. Former judgment vacated; reversed. Albert, C., division No. 3.

1. On the facts stated a conveyance of real estate by a debtor is held to have been in fraud of his creditors.

2. In an action to set aside such conveyance the financial condition of the grantor at the time of making the conveyance is merely an evidental fact, bearing on the question of fraud, and need not be pleaded; aliter, his financial condition at the commencement of such action.

3. The defense of the statute of limitations is waived unless interposed by demurrer

or by sufficient averments in the answers.

4. An averment in the answer, couched in the language of a general demurrer to the petition. Is a bare conclusion of law and insufficient to interpose the defense of the statute of limitations.

1813. Chicago, Burtington & Quincy Railroad company against Wintrey. Error from Nemaha. Affirmed. Holcomb. 3.

1. The finaling of a jury on a disputed question of fact when supported by sufficient competent evidence will not be disturbed by a reviewing court, even though, if from an examination of the record, the evidence seems to prependerate to the contrary.

from an examination of the record, the evidence seems to prependerate to the contrary.

2. It is the reffled law of this state that when in the operation of a train carrying passengers an highly results to one of them the imputation of negligence arises and the liability to respond in camages becomes fixed unless it is made to appear that the injury arcse from the criminal negligence of the passenger or was the result of the violation of some express rule or regulation of the carrier actually brought to the notice of the party injured.

3. Ordinarily the existence of negligence such as will justify or defeat a right of recovery for damages for an injury received by a passenger while being transported by a railway company is for the jury to determine as it determines other questions of fact.

4. Where upon an issue of fact raised by a plea of contributory negligence the testimony is conflicting, or where the evidence as a whole is of such a character as that reasonable minds might fairly draw different conclusions therefrom it is for the question of contributory negligence.

5. It is only where the facts are not in controversy or the evidence is of such a character as but one rational inference can be drawn therefrom that the court is warranted in determining the question of negligence as a matter of law.

6. It is not necessarily gross negligence in every case for a passenger to attempt to leave a train, even though at the time it be in motion.

7. Contributory negligence on the part

"Why, no. Who is it? How did you recognize me?"

Why, no. Who is it? How did you recognize me?"

Why, no. Who is it? How did you recognize me?"

Her companion lifted his disguise and smiled.

Chief Farley, Well, I declare?"

"Rather of my beat, sh? I just dropped in to see how things were running. By the way, your friend in white is well get up.

"Int it noe. Bare—Oh, it forgot." Belegisted to their master. To teach them this clapped a finger to her lipp in dismay. "You dreadful man, You see, I flink you know us all. New, I've let it du!."

"An and the notion that the property is a homestean it the personal representative to the companion was inclined to be made and the notion to the house and then told to bunt it. They became way, your friend in white is well get up.

"Int it noe. Bare—Oh, it forgot." Belgisted to their master. To teach them this clapped a finger to her lipp in dismay. "You were so positive." The course, "Ightly, "You were so positive." On, dear! Well, he was wrong."

"In the course," Ightly, "You were so positive." The course, "Ightly, "You were so positive." The course, "The beautiff of the course, "Whings."

"Whings."

"Whings."

"Whings."

"Where it is all right to fell you, of course, "Whings."

"The see, He knives now."

"I see, He knives now."

"See, He knives now."

"See, I the house of the content and they're not at all," concluded Gelsitys evaluated they're not at all," concluded Gelsitys evaluated they remove now in my upper drawer, and they're not at all," concluded Clearly seedings.

"The see, He knives now."

"Farley rose a slewly."

"Town minutes more and the officer leaped in the content of the decrease of the content of the

to be prejudicially erroneous.

11892. Citizens State bank of Newman Grove against Nore. Error from Boone. Reversed. Lobingier. C., division No. 1.

1. In this state a statute will not be construed so as to make a negotiable instrument void in the hands of a bona fide purchaser unless the act specifically so declares.

unilcensed practitioner may be recovered en by a bona fide purchaser, notwithstand-ing the provisions of chapter 55 of the Com-piled Statutes prohibiting the practice of medicine without a license.

11346. Fremont Brewing company against Hansen. Error from Dodge. Former judg-ment vacated; affirmed. Duffle, C., division No. 3. 2. A note given for medical services by an

