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## MISCELLANEOUS

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RY KELLY'S TOWEL SUPPLY. Tel. 353 NTI-Monopoly Garbage Co., 62 N. 16th Tel. 1779. R-896 LAUNDRY SIEAM SILES, 11th St. Telephone 254.

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THE OMAHA FOUNDRY on and brass castings. 802 Jackson. Te R-879 : GN PAINTING, S. H. Cole, 1202 Douglas R-900 i. (D IRONS replated, 20t; three for 50t; )maha Plating Co., 1508 Harney. Tel. 2535 R-901

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URS Redyed, repaired and remodeled Thomsen, 1417 Farnam. R-617 N23 1 eNIO, algas. 1624 Dodge. Tel. 6630. R-\$28 N12 arpet Cleaning, Christianson, 2223 N. 20th R-120 N14 O. K. block coal \$5.00 a ton; best in town for money. Jeff W. Bedford Co. Tel. 115. R-M220 N17

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R-M212 N30 LONEY TO LOAN-REAL ESTATE

YANTED-City loans and warrants. W Farnam Smith & Co., 1320 Farnam St. W-915 NONEY TO LOAN-Payne Investment Co. W-916 (ARVIN BROS., 1904 Farnam. City loans at lowest rates; no delay; get our terms. W-917

1.ULDING loans on residence property; 5 per cent. W. B. Meikle, Ramge Bik. W-918 1 OWEST RATES-Bemis, Paxton Bik. W-919 7 RIVATE money. F. D. Wead, 1520 Dougla W-920

4, 000,000 TO LOAN on business and resi-ence property in Omaha; lowest rates; no elay, Thomas Brennan, R. 1, N. Y. Life, W-921 WANTED-City loans. R. C. Peters & Co. W-922 FARM and city loans; lowest rates. W. H. Fhomas, 1st Nat'l Bank Bldg. Tel. 1648. W-923

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B-418

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B-M350 D4

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U-511

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X-230

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EAGLE Loan Office, reliable, accommodating; all business confidential. 1301 Douglas X-981 MONEY Loaned on chattels at 10 per cen-per year. 48d and Center. X-M702 CHATTEL, salary and jewelry loans. Foley Loan Co., 1904 Farnam St. X-80 DR. PRIBBENOW'S, PRIVATE MONEY ioaned on furniture, pianos, salary, horses, etc., in any amount at less than half the rates; no red tape; perfect privacy; immediate attention; on any terms wanted, payments suspended in case of sickness or out of employment. Room 24 Karbach Bik., 29 S. 15th St. X-M542

PLUMBING

PLUMBING Repair work a specialty and Bros., 2174 8, 120 Tel 1477. Tel. 1477. LYNCH Repairing immediately attended to 118 S. 15th. Tel. 2002. A SAVARD, 4514 N. 24th. Tel. 5832.

DEATH NOTICES

ARLSON-Charles E., November 1, 1905, Funeral services will be held from family sidence, 2021 Dorcas street, Sunday, No-ember 5, 1996, at 2 p. m. Interment, Laurel IIII cemetery. Friends invited.

DOLL-Euphrosina, November 3, 1905, aged 72 years, 10 months, beloved wife of Wil-liam Doll. Funeral from late residence, 807 Pierce treet, Sunday afternoon, November 8, at o clock. Interment, Prospect Hill. Friends nvited. Mrs. Doll came to Omaha with er husband in the spring of 1857 and has wed here ever since. She has a large cirle of acquaintances.

HANSON-Theodore G., at Phoenix, Ariz. Funeral from residence, 1609 Vinton street, onday afternoon at 2 p. m. Friends in-

ALTMANN-Mr. Ignats, of 1731 South 11th street, November 4, 1966, aged 45 years. Funeral notice later.

UNDERTAKERS

Brailey & Dorrance, 30th and Cum. T. 526, -580 HARRY B. DAVIS, 411 S. 15th. Tel. 1235

TAGGART, 23d and Cuming. Tel. 714

PATENTS

H. A. STURGES, registered attorney; pat-tents, trade marks, copyrights; no fee un-less successful. 517 N. Y. Life, Omaha. —906

procured, inventions developed, drawings, patterns, castings, machine work. 694-612 S. 10th St. —M312 N20 PATENTS secured or money refunded.
Fees reduced to \$10. Address Sues &
Co. Washington, D. C. Advice free.
—M783 N28x

FOR SALE—HORSES, WAGONS ELEGANT Stanhope, with rubber tires, at half price; also extension top carriage from the Sattley Mfg. Co.'s stock, at a big bargain. Johnson & Danforth, S. W. Cor. 10th and Jones Sts. P-225

THREE open delivery wagons and one top wagon, good as new; a big bargein. Johnson & Danforth, S. W. Cor. 19th and Jones Sts. HORSES for sale. Easy terms. 43d and Center. P-270

IF YOU do not find what you want in this column, put an ad. in and you will soon get it. Z-883 Neb. Price, \$20,000. Will take merchandise or good income property to the amount of \$10,000 and give time on balance. Address J. R. Adkins, Craig. Mo. Z-M336.7.

LAW AND COLLECTIONS ATTORNEYS everywhere. The New Snow-Church Co., main floor, N. Y. L. Tel. 133.

J. M. Macfarland, 309 N. Y. L. Bldg. Tel. 6888 -972 WANTED-TO BUY

Antiquarian Book Store, 1220 Far.; highest price paid for 2d-hand books. Tel. F-4629, N-858 N13

WANTED-To buy for cash hotel or board-ing house of from 15 to 25 rooms; prefer to deal direct with owner. Address E 45, Bee. N-319 9x

DRESSMAKING GOLDMAN Pleating Co., 200 Douglas Blk -855 In Families, Miss Sturdy. Tel. Harney 1002 -506

When You Write to Advertisers remember it only taxes an extra stacke on two of the pen to mention the fact that you saw the ad. in The Bee.

RAILWAY TIME CARD

Overland Limited a 9:40 am a 8:18 pm California Express 4:10 pm a 9:30 am California Express 4:10 pm a 9:30 am California & Oregon Exa 4:20 pm a 8:10 pm North Platte Local a 7:50 am a 8:20 pm Fast Mail a 8:55 am a 7:44 am Beatrice Local b 3:15 pm b 1:30 pm

Twin City Passenger...b 6:30 am w 9:14 pm Sioux City Passenger...a 2:00 pm a14:26 am Uakiand Local .......b 5:45 pm b 9:10 am Emerson Local .......c 8:46 am c 6:00 pm

Burlington.

Leave. Arrive.

Denver & California... a 4:10 pm a 3:20 pm Northwest Express... a 1:10 pm a 6:00 pm Lincoln Past Mail. b 1:00 pm al2:00 pm Et. Crook & Plattsm'th b 1:50 pm al2:00 pm Bellevue & Plattsm'th... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm Bellevue & Pac. Junc... a 1:00 pm al2:00 pm al2:00

SUPREME COURT SYLLABI

Teetzel against Davidson Bro Marbie Company. Error, Douglas. At-firmed. Letton. C. Division No. 1. Certain goods shipped by the plaintiff to a bankrupt were stopped in transit. Ar order upon the carrier was then given by the plaintiff's agent to the defendant whereby defendant obtained the goods and used them in his business. Held, that under the circumstances there was an im-plied contract upon his part to pay to plaintiff the fair market value of the goods which could be enforced by an action of the which could be enforced by an action of the contract.

1832. Walters against Chicago, Burlington b Quincy Railroad Company. Error from Red Willow. Affirmed. Ames. C. Division 1832.

When the certificate of membership in a railway relief department expressly provides that the indemnity therein provided shall be waived or forfeited by an action for damages against the railway company itself, the terms of the contract, and not the general rules of law relative to the election of remedies, will determine the consequences of such an election.

sequences of such an election.

1892. Miller against Loverne & Browns Company. Error from Frontier. Affirmed. Ames. C. Division No. 1.

1. When the answer fails to state a defense, but admits the plaintiff's cause of action, and the verdict and Judgment are supported by the petition, errors occurring at the trial and in the giving and refusal of instructions are without prejudice.

2. If a defendant admits by answer or demurrer that he entered into a contract with plaintiffs by an associate name in which the suit is brought, such admission, without further explanation, is equivalent to an admission that the plaintiffs had sufficient expacity to bind and to be bound by the instrument, and to enforce the same in the contract name.

strument, and to enforce the same in the contract name.

1324. Chicago, Burlington & Quincy Railroad Company against Dowbower. Error from Valley. Reversed and remanded. Duffie, C. Division No. 2.

1. A railroad company is not required to fence its right-of-way agross a public highway, whether such highway is established by legal authority or by adverse use for the statutory time.

2. Evidence examined and held not to show negligence in the operation of a train. 1336. Hornung against Herring. Appeal from Lancaster. Affirmed. Jackson, C. Division No. 2.

1. A court of equity will interfers by injunction to restrain repeated acts of trespass, such as the fercible entry of a dwelling house by breaking or removing locks from the doors, the forcible removal of fastenings from gates and assaults upon those in possession, and in such case it is unnecessary to prove that the trespassing parties are insolvent.

1328. Tootle-Weakley Millinery Commenced to the case of the contract of the contract of the case of SHARPE MACHINE WORKS, Patenta

parties are insolvent.

13928. Tootle-Weakley Millinery Company against Billingsby, Trustee. Appeal from Lancaster. Remanded with directions. Letton, C. Division No. 1.

1. A court of equity will not relieve against a party by reason of the negligence of his attorney.

2. If a party desires to complain of the absence of the official reporter he should call the attention of the trial court thereto, obtain a ruling and if forced to trial without the reporter preserve his exceptions.

2. If a party who contends that a court has no jurisdiction over his person files a motion for a new trial he thereby concedes that the court has power to act and will not be afterward heard to assert the contrary.

4. A party against whom a judgment has been rendered in favor of the trustee of a bankrupt may by proper proceedings in equity be allowed to offset against the same a claim allowed in its favor against the bankrupt in the bankruptcy proceedings. ings.
13929. Wall against Kerr. Error from
Howard. Appeal dismissed. Duffe, D. Division No. 2.

Howard. Appeal dismissed. Dume, D. Division No. 2.

13982. Morrison against Hunter. Appeal from Harlan. Reversed with instructions. Ames, C. Division No. 1.

1. One occupying confidential relations towards another is held to the exercise of scrupulous good faith and will not be permitted to make use of knowledge or opportunities to his own advantage and the injury of the party with whom he is dealing, from which the latter is in good conscience entitled to profit.

2. Evidence examined and held to entitle the plaintiff to the relief prayed in his petition.

13932. Templin against Kimsey. Error from Lancaster. Reversed and remanded. Albert C. Division No. 2.

1. Where the want of jurisdiction does not appear on the face of the record, it may be pleaded with other defenses in the answer. answer.

2. That the defendant in a case of that kind, first raised the question of jurisdiction on a special appearance, which was overruled, does not affect his right to include a plea to the jurisdiction with other defenses in his answer.

1335. Lee against Brittain. Error from Merrick. Reversed and remanded. Old-

Merrick. Reversed and remanded. Old-ham. C. Division No. 1.

1. A motion for a new trial is not neces-sary in order to obtain a review of the judgment of the district court entered on a hearing of an appeal taken from the order of a license board granting or re-fusing a license to sell intoxicating liquors. Bennett et. al. against Otoc et. al. No-braska 94 N. W., 807, followed and ap-proved.

braska 94 N. W., 807, followed and approved.

2. The act of 1895 (laws 1895, page 122, chapter xxil) is ineffectual as an amendment, or repeal of section 7155, Cobbey's Annotated Statutes, which requires an applicant for liquor license to sell intoxicating liquors to give a bond in the sum of \$5,000, with at least two good and sufficient sureties, freebolders of the county in which the license is granted. Fidelity and Deposit Company of Maryland against Libby, Nebraska 101 N. W. 394, followed and approved. and approved.

13987. Fitch against Martin. Error from
Douglas. Reversed. Letton. C. Division
No. 1.

Union Pacific.

Overland Limited a 5-96 am a 5-15 pm California Express a 4-10 pm a 9-25 am California Express a 7-16 am A 9-10 pm North Platte Local a 7-25 am a 8-25 pm California Express a 7-25 am A 9-25 pm California Express a 4-10 pm a 9-25 am California Express a 4-25 pm 1-15 pm California Express a 8-25 pm A 1-15 pm California Express a 8-25 pm 1-15 pm California Californ

ites.

1430. State ex rel. Saunders against Fink.
Appeal from Douglas. Affirmed. Jackson.
C. Division No. 2

1. In construing a statute an imperative
rule is that effect, if possible, must be
given to every clause and part of the
statute.