Farnam St. Property 7256x132, near 22d, \$250 a foot.

59 feet near 34th, brick building worth nearly the asking price, \$18,000. iss ft. near 24th, brick improvements worth nearly the asking price, \$22,000. 242 feet, includes the 2 pieces above. Will sell the buildings and throw in the lots or sell the lots and throw in the buildings. 87 feet improved, near 22d, \$42,000.

23 feet near old U. S. bank, \$15,000. Terms. 4-story and basement brick block near city hall, \$155,000.

#### Harrison & Morton

FOR SALE-7-room cottage, modern except furnace, together with large corner lot, located southwest corner of 25th and Charles Sts. This lot is undoubtedly one of the finest building sites north of Cuming St. Price, 14,150. W. H. Griffith, 223 Chicago. Tel. Douglas 4596.

ELEGANT lot, 59x120 feet, southeast corner 20th and Grant Sts. Write for price and terms to F. H. Kappen, Milwaukse, Wis.

South Omaha Lot Must Sell Before July 6th Lot 5, block 7, on 28th St., just north of 3. MAKE OFFER, \$500.

WALKUP Real Estate Company, 875-77-79 Brandels Bldg. Douglas 2898.

3021 DAVENPORT 8-room modern house, oak finish down-stairs; yellow pine upstairs; comb. fixtures; full cement basement, with good furnace; cement walks; street paved; all specials paid. Price \$5,500 for quick sale. See this.

P.O. NIELSEN & CO., 702 N. Y. Life Bldg, Both Phones.

\$2,600

8-ROOM, almost new cottage, modern except heat, floored upstairs, can make 2 more rooms if necessary, cement basement, combination fixtures, permanent sidewalks, fine lawn and lot 42x126, with alley, all in fine shape.

Birkett & Tebbens.

SOUTH front lot on Ames Ave. near Mat Cheap. Terms.
P. O. NIELSEN & CO.,
703 N. Y. L. Bidg. Both Phones.

WEST FARNAM BUILDING SITES,
Corner 93x110 feet, \$7,500,
69x140 feet, for \$6,500,
80x132 feet, only \$5,000,
46x98 feet, \$1,850.
HICKS R. E. CO., 219 Ed. Trade Bidg.

Florence Boulevard Acres \$760.00

Fronting on Florence bivd, this side Mil-ler park Just north Mr. Covert's elegant bungalow, combines view with plenty of

Harrison & Morton

\$2,500.

The swellest brick residence-brand new and all modern on the market. Large grounds, elegantly located. Terms if you want: ask us.

PAYNE IN LIS MENT COMPANY, lst floor. N. Y. Life Bidg.,

Tel. Doug 1781; Ind. A-1188.

10-Room Brick \$5,000 Available to Omaha and South Omaha. Occupied by owner, built for home. Now too large. House alone cost more money.

Harrison & Morton

BOULEVARD HOUSE, 2248 North 19th St. 1 rooms, modern, only \$1,500. Thomas Brennan, Room I New York Life Bldg.

5 LOTS On first street, just north of Leavenworth. Bargain at \$500 each. Owner makes that price to close out.

The Byron Reed Co. Phone Doug. 297.

> CHOICE BUNGALOW HOME

On the boulevard in Creighton's first ad-lition, new 8 room bungalow; finished in sak down stairs, handsomely decorated; furnace heaf, best of plumbing and fix-tures; beam ceilings. Garage. Built for a home, and for sale because owner is leav-ing the city. Price \$4,700. The lot is worth H.200 and you could not begin to build the house for \$2,700. It is a bargain. It sold at once will make terms. See us immediately. Key at our office.

D. V. SHOLES COMPANY, 111 Bd. Trade Bidg. Telephones Doug. 4 18th & Farnam Sts. Independent A 2049 LIST your property with Chris Boyer, 22d and Cuming Sta (19)-808

DON'T BE AFRAID TO SUB-MIT OFFERS ON THESE Owners have instructed us to sell at once on any fair terms and at reduced prices. Better secure a home and enjoy it while paying for it than waste further rent moust.

money.
5-room cottage, full lot, 50th and Emmet,
\$500; \$55 cash, \$10 per month.
5-room house, part modern, lot 30x150,
near 18th and Paul, \$2,600; \$150 cash, \$30 per menth, 6 per cent interest.

One of the best arranged and constructed new 5 room modern cottages in the city; can finish rooms upstairs if desired, nicely terraced lot, \$0x120, elegant view, sightly location, near 56th and Ames, only \$2,500 and very easy terms.

Good 6 room cottage, water and sewer, nice east front lot, fruit, shade, etc., near 57th and Burdette, \$1,700; \$100 cash, \$15 per month. month.

Choice 8-room all modern cottage, just west of High school, only \$3,150; easy terms.

RUSSELL & McKITRICK CO., 423 Ramge Bldg. loth and Harney. 2 lots in Clifton Hill with sidewalk, sewer,

A. P. Tukey & Son.

\$20,000.00 HOME FOR \$12,000.00.

On account of death in the family, we are authorized to sell at a sacrifice one of the most comfortable homes in Omaha, with 20-foot east front lot; ideally located process.

J. H. DUMONT & SON, 4 ROOM house built last year, barn, chicken house some fruit. East front lot lectric light plant, Harian. Address Y lox18 feet. One block to Ames avenue for. Price 81,500. P. O. NIELSEN & CO., Both Phones.

(Continued.) \$ ROOM ectiage in Clifton Hill. Has good well, clatern, gas, newly painted and papered, large lot, cement walke. A very lice home for only \$1,700. Let us show you this. 765 N. Y. L. Bldg. Both Phones NEW DUNDEE BUNGALOWS

> \$4,750 7 rooms, all modern, hot water heat; lot 50x116 feet or with 100x118 feet, 50.400. Liv-

with 100x118 feet, \$5.450. Liveling room, dining room, kitchen and 2 bedrooms and bath on First Floor.

2 bedrooms and large sleeping porch Second Floor. Oak and gumwood finish; full cemented basement; tilled vestibule and expensive fixtures. On Capitol Ave. west of 51st St. Plans and specifications at our office, House open for inspection.

6 rooms, all modern, furnace heat, oak floors and dark pine finish: living room, dining room, kitchen, 2 bedrooms and bath 1st floor; 2 rooms finished 2d floor. South front, corner lot 52x100 feet; high, sightly location; we will show this to you at any time, Ready to move into. to move into.

GEORGE & CO., 1801 FARNAM ST.

Phone Doug. 716.

IF YOU HAVE city property, farms, ranch lands or mer-chandles to sed or trade, list them with me It coats you nothing unless I effect a sais. W. W. Mitchell, 32 hoard of Trade Bide

PARM AND BANCK LAND FOR BALE Eighty acres Polk county, Nebraska; \$45

per acre; will make good terms. J. G. Bone, Council Bluffs, Ix., Phone Bell 808. NEBRASKA FARMS FOR SALE—150 acres five miles from Allen, Dixon county and only twenty-five miles from Sloux City, just gently rolling, no hills, 100 acres cultivated, balance hay and pasture, all buildings new and good except the house which is old. A fine large grove with lots of large timber that should be cut into building lumber, a bargain at \$40 per acre, on easy terms.

building lumber, a bargain at \$40 per acre, on easy terms.

390 acres ten miles northeast from Orchard, Antelope county. 175 acres very rich valley land. 160 acres of which averaged better than fifty bushels of corn per acre last year. The balance is somewhat hillly, but positively not sandy and is the very finest of pasture land with lots of timber for shade and the finest running water for cattle. There are a couple of the nicest white oak and black wainut groves on this farm in the country. There are very good buildings of every kind on the main traveled wagon road with rural mail and telephone in the house. There is a good school only half a mile away. The neighborhood in which this place is located is all that could be desired. Price \$22.50 per acre. Easy terms.

R. C. MILLIGAN.

Orcutt Bldg. Sloux City, Ia.\*

FOR SALE-160 acres land, nwk sec. 25, T. 20, R. 11, Greeley Co., Neb. Best cash offer gets it. F. E. Dodge, 1123 Central Ave., Los Angeles, Cal.

SEND for long list; farms \$8 to \$100 per acre. BEMIS, Brandels Bidg.

A SNAP.
480-acre wheat, corn and alfalfa farm;
8 acres hog-tight; good improvements; \$36
er acre. J. T. Campbell, Litchfield, Neb. Good, Cheap Land—640 acres western Ne-braska, \$3.25 per acre, \$890 cash, balance in eight years, \$160 year; low rate of inter-est, P. O. Box, 173 Council Bluffs, Is. One hundred sixty acres Kimball county, Nebraska, four miles south of Dix. Every acre can be cultivated. Owner, 312 Shugart Blk., Council Bluffs, Ia. Tel. Bell 514.

220 ACRES well improved land. Red River Valley, Minn. Nothing better on earth, \$40.00 per acre. F. J. McMahon, Endicott. St. Paul, Minn.

South Dakota.

YOU HOMESEEKERS AND LAND HOMESEEKERS AND LAND SPECU-LATORS.

I have a number of choice tracts of land in Gregory, Tripp, and Myer counties, So. Dak. I deal in newly patented Indian lands, and can furnish clear unincumbered titles for all lands I control. Write me for prices and descriptions. Office at Gregory, So. Dak. Dr. E. T Spencer. 480-ACRE farm, at \$20 per acre; 2 miles

from Herrick, Gregory Co., 800 population; 80 acres level, 165 can be broke, balance pasture; good soil, no saud or gravel; good heavy grass, running water; all under fence. Can run an automobile from town right onto the laud. No commission. W. H. Wilsigman, Norfolk, Neb. REAL ESTATE LOANS

\$100 to \$10,000 made promptly. F. D. Wead, Wead Bidg., 15th and Farnam. PRIVATE money to loan. J. H. Sher-wood, 616 Brandels Bldg. PAYNE, BOSTWICK & CO., N. Y. Life Private money, \$500 to \$5,000; low rate.

FIVE PER CENT MONEY to loan on Omaha Business Property. THOMAS BRENNAN, Room 1 New York Life Bldg.

GARVIN BROS., 318 N. Y. Life. \$600 to \$300,000 on improved property. No delay. LOWEST RATES-Bemis, Brandels Bidg. \$100 TO \$5,000 on homes in Omaha. O'Keefe Real Estate Co., 1001 N. Y. Life. Doug. or

SECOND MORTGAGE loans negotiated. Apply Rooms 417-15 First Nat'l Bank Bidg. Bell Phone Douglas 2318. MONEY TO LOAN-Payne Investment Co. WANTED-City loans, Peters Trust Co.

REAL ESTATE WANTED WE HAVE BUYERS for a 5-room house, NOWATA LAND AND LOT COMPANY,
Suite 624 N. Y. Life Bldg., Omaha.
Phone Red. 1998. Open svenings.

WANTED-TO BUY

BEST price paid for second-hand furniture, carpets, clothes and shoes. Tel. Doug.

BEST price paid for 2d-hand furniture, stoves, clothing. Wm. Rosenblatt. Tel.

WANTED-TO HENT

WANTED-Room and board by young

GOOD board and room in country for father and two daughters. State price and location. Address C-12, care Bee. TWO furnished housekeeping rooms or

IF YOU are going away for the summer and wish to have a reliable married couple take charge of your residence during your absence kindly reply at once; no children; references exchanged. Address Y 705, Bea.

WANTED-SITUATIONS For high grade men. call Omaha Y. M. C. A.

YOUNG Japanese boy wants position; housework; help; and wants to go to school. Tel. South 1518.

WHITN writing to advertisers, kindly men-tion The Bea

Only Forty Acres

OF IRRIGATED LAND In the Scott's Bluff Country

Iows. Nebraska or Illinois. This statement is not made recklessly, but the facts are before any one who wants to investigate. When you can raise 300 bu. of potatoes, or 20 tens of sugar beets, 15 to 25 tens of cabbage, 600 bushels of onlons to the acre, as has been and is being done in the valley of the North Platte, in western Nebraska, forty acres will keep you mighty busy and make you a splendid living. Prove the facts, see the country. Get ready to go with us on our

## Next Excursion

TUESDAY, JULY 6.

We leave here Tuesday afternoon over the C., B. & Q., board and lodge you, show you the country in automobile, show you an unlimited water supply and get you home Friday. It is a quick, satisfactory trip to the LAND OF SUNSHINE AND BIG CROPS. Ask us about it, write or telephone

### Payne Investment Co.,

LAND MERCHANTS AND COLONIZATION AGENTS N. B .- We have sold \$,000 acres of this land in forty days. It must be all right or

REAL ESTATE TRANSFERS H. Briggs and wife to Samuel Mancuso, part taxlot 22, 22-15-15.
E. J. Shakeshaft et al to C. F. Davis, lot 1, Bang's sub
Elizabeth D. Brennan and husband to John A. Ryan, lot 6, block 43, Credit Foncier contain Foncier to Cassel Realty company, part lot 63, S. E. Rogers' plat 

Hill
Jacob King and wife to S. G. Stevenson, st lot 19, block 2, Millard Place 1,550
Anna Hurd and husband to Elleanor
M. Hamilton, lot 27, block 5, Kilby M. Hamilton, lot 27, block 5, Kilby Place
Eliza B. Patrick et al to Frances
McGovern, lot 4, block 2, Patrick
Place
Inex Christensen and husband to
Gustav Pegan, lot 11, block 3, Marysville fary E. Bradley to Eva A. Bradley,

wille
Mary E. Bradley to Eva A. Bradley,
lot 4. Phelan's addition
Callie Epley to Mary C. Cott, lot 5.
block 2. Briggs' Place
P. E. Iler to John E. George, lot 8.
block 1. Kountze & Ruth's addition,
and other property
Security Investment company to Chas.
L. Saunders, lots 2 and 6. block 8.
Saunders & H'mebaugh's Mount
Pleasant
Bame to same, lots 19, 30 and II, block Saunders & Himebaugh's Mount Pleasant
Bame to same, lots 19, 20 and 21, block 3, and other lots, same.
Same to same, lot 5, block 8, same, and other lots
Same to same, lot 1, 2, 3 and 5, block 2, and lot 18, block 18, same.
Dorothea Meth to Lucy O'Connor, lot 11, block 121, South Omaha
John B. Kuony to Nebraska Furniture and Carpet company, north 44 feet lot 1, block 166, Omaha
Fred Armbrust and wife to May E.
Riale, north ES feet lot 21 and 5½ alley, sub of block A. Reservoir.
Carrie O. Durkes and husband to Mollie H. Van Sant, lot 3, block 55, South Omaha

**GOVERNMENT NOTICES** 

PROPOSALS FOR ARTILLERY HORSES—Chief Quartermaster's office, Omaha, Nebraska June 7, 1979. Sealed proposals in triplicate, will be received at this office, until 11 o'clock a. m., central, standard time, July, 8, 1979, and then opened, in the presence of attending bidders for 163 artillery horses, for delivery at Fort Riley, Kan., or other prominent railroad points. The animais to conform to specifications for artillery horses. United States reserves right to accept or reject any or all proposals or any part thereof. Particulars and blanks for proposals furnished on application. Envelopes containing proposals to be endorsed "Proposals for Horses" and addressed to Major D. E. McCarthy, Chief Quartermaster.

CHIEF QUARTERMASTER'S OFFICE. PROPOSALS FOR ARTILLERY HORSES

CHIEF QUARTERMASTER'S OFFICE, Omaha, Nebraska, July 1, 1909.—Sealed proposals, in triplicate, will be received here and by quartermasters at the posta named herein, until 19 a. m., central standard time, July 39, 1909, for furnishing oats, bran, hay and straw during the period from October 1, 1999, to June 30, 1910, at Gmaha Q. M. Depôt, Forts Crook, Omaha and Robinson, Nebraska: Forts Leavenworth and Riley, Kansas; Forts D. A. Russell and Mackensie, Wyoming; Fort Des Moines, Iowa, and Fort Meade, South Dakota. Proposals for delivery at other places will not be entertained. United States reserves right to reject or accept any or all proposals or any part thereof. Information furnished on application here, or to quartermasters at stations named. Envelopes containing proposals should be marked "Proposals for Forage" and addressed to Major D. E. McCarthy, C. Q. M. J.-5-3-7-25-29. CHIEF QUARTERMASTER'S OFFICE

DEPARTMENT OF THE INTERIOR OFfice of Indian Affairs, Washington, D. C.
Sealed proposals, for letting Districts Nos.
1, 2, 4, 5 and 6, in the Crow Indian Reservation, Montana, for grazing purposes, either
under a lease or by permit, will be received
at the office of the Commissioner of Indian Affairs, Washington, D. C., until 2
o'clock p. m., on Monday, August 2, 1809,
and will be immediately thereafter opened
in the presence of such bidders as may attend. Maps showing the location of the
districts and all necessary information
may be obtained on application to the
superintendent of the Crow Indian School,
Crow Agency, Montana, R. G. VALENTINE, Acting Commissioner, 192-D201

A PAPER FOR THE HOME OMAHA BEE BEST IN THE WEST

1,790

GOVERNMENT NOTICES

FORT LOGAN, COLO., JUNE 22, 1999.
Sealed proposals in triplicate will be received until 3 a. m., July 22, 1999, and then the contributions of Labor and money, purchased \$30 acres of farm land, taking the viction to water distributing system here. Plans and specifications may be seen here. United States reserves right to accept or reject any or all proposals or any part thereof. Envelopes containing proposals and the proposal or any part thereof. Envelopes containing proposals and or rents and profits.

EEGAL NOTICES

Notice of Siuckholders' Meeting.

To the stockholders' Meeting.

To the stock

The Rooks County Railroad Company, a corporation of the State of Maissain The Newada and Minden Railway Company of Misonas, a corporation of the State of Maissain City and Southwestern Railway Company of Misonuri, a corporation of the State of Maissain City and Southwestern Railway Company, a corporation of the State of Kanasa; City and Southwestern Railway Company, a corporation of the State of Kanasa; City and Southwestern Railway Company, a corporation of the State of Kanasa; City and Southwestern Railway Company, a corporation of the State of Kanasa; City and Southwestern Railway Company, a corporation of the State of Kanasa; City and Kanasa Central Railway Company, a corporation of the State of Kanasa;

5,000

Raincas City and Southwestern Railway Company, a corporation of the State of Kanasa;

The Newada and Minden Railway Company, a corporation of the State of Kanasa;

The Raincas City and Southwestern Railway Company, a corporation of the State of Kanasa;

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The Raincas City and Southwestern Railway Company, a corporation of the State of Kanasa;

The Raincas City and Indicate City of the State of Kanasa;

The Raincas City

and every stockholder attending will be furnished with a printed copy thersof, and at any time before such meeting any stockholdes will be furnished with a printed copy of such Contract and Articles of Conselidation upon application therefor during business hours to the Assistant Secretary of the Company, at the office of the Company in the City of St. Louis, Misseuri.

Dated, May 29th, 1909.

GEORGE J. GOULD,

President of The Missouri Pacific Rallway Company.

Company.

A. H. CALEF.
Secretary of The Missouri Pacific Railway
Company.

JROAS

NOTICE TO BIDDERS: WE ARE NOW ready to receive sealed proposals at our office until 12 o'clock m. July 15, 1909, for the erection of an addition to our seed house, in accordance with plans and specifications now on file at the office of the Omaha Builders' Exchange, Omaha, Nebraska, also at the office of C. R. De La Matyr, Fremont, Nebraska Kindly specify in your bid the difference in the cost of the building of H. W. Johns-Manville Co. Johns of the building of H. W. Johns-Manville Co. Johns is used in place of galvanized steel roofing. The right is reserved to reject any and all bids. Kindly ist us hear from you at your earliest convenience with your your earliest convenience with your ry lowest bid on the building. Yours lly. WESTERN SEED & IRRIGATION CO., per Wm. Emerson, Manager, Fremont, Neb., June 25, 1909. June-29-39-July-1-2-3-4.

> Call Us by 'Phone

THE PERSON NEWS TWO

Whenever you went something call 'Phone Douglas 238 and make it known through a Bee Want Ad.

in violation of his orders.

Peterson v. State. Error, Kearney. Reversed and remanded. Root. J.

1. Where a defendant is being tried for incest the declarations of the prosecutrix made in his absence concerning an alleged criminal intercourse with him in a county other than the one wherein he is being tried, are incompetent and, if received over defendant's objections, entitle him to a new trial.

2. Where the defendant in a criminal case has testified in his own behalf and the court has given a proper instruction.

the defendant as true."

1682 Hruby against Soversign camp of the Woodmen of the World. Appeal from Cuming. Affirmed. Fawcett, J.

1 When the svidence is substantially the same as on a former appeal, the weight and effect to be given such evidence must be considered as foreclosed by the former decision on that point. Alead against Trachuck, 51 Neb., 515; 78 N. W. 321

1688. Shannon against Bartholomew. Appeal from Douglas. Affirmed. Duffle, C. Commissioners' department.

1. A notice to the owners of land, sought to be condemned for park purposes stated that the appraisers appointed to view the land and assess the damages would meet at 2 o'clock p. m. on a certain day and comland and assess the damages would meet at 2 o'clock p. m. on a certain day and commence their view across Nineteenth strest from Kountse park, within the corporate imits of the city, and after viewing the property and hearing interested parties, would adjourn to room 200, Omaha National bank building, where the business would be proceeded with until completed. Held, that the notice was sufficiently definite and certain as to the time and place of meeting.

f. The Omaha city charter of 1905 pro

## An Interesting Want Ad Story

THE HAPPINESS THE BEE WANT AD BROUGHT.

FREE RENT ON ANY OF THE FOL-LOWING UNTIL JULY 1: 8332% Webster St., 5-r. nice home, \$10.

Florence Lake, 3617 Webster street, Omaha, Neb. Father, S. B. Lake, High School, 9th Grade, E. M. Graff, Principal, Age, 13 years. "Oh! Robert," said Grace to her elder

brother, "I do not see what we will do, for you know since mother and father were killed we have just barely made ends meet, but now that sister Mildred has broken her arm I have paid the dector the last two dollars. He came to see her twice yesterday and I paid him, for I did not want any bills coming here, but you know Mr. Williams, the landlord, said if we did not pay this month's rent, we would have to get out, and he would have no half payment about it. I have tried to save those two to help pay the rent, but now it is gone and we have started on this month's rent already. What will we

You know, Uncle Jack said that as soon as he could get away from the farm he would come and see what he could do about getting us a home, but he said he knew he could not come until the first of July, and that we would have to get along until then. I have been looking forward to that time and have been tryi along, but now we are in a fix.

"I know, Robert, that you are not to blame, for you are working too hard now, with working both day and evenings, and as for Mildred I know she is sorry we are in such a fix for her sake and ours. too, for she is not able to take care of Mrs. Brown's baby now and that money

always came in handy." Robert was silent after that and tried in many ways to help things along, but all in vain. Two evenings after his talk with Grace, Robert sat down to read The Evening Bee. Robert did not think as Grace did that nothing in the paper was worth reading except the big advertisements, but read everything over carefully until he came to the words on the want ad page of The Bee which read "Offered for Rent." Knowing the state they were in, he glanced further down the page to see "Free Rent on Any of the Following Until July 1st." He stopped and thought; he knew his Uncle Jack would be there by July 1st and if Grace thought it airight, why not accept the great offer in The Bee, since he could get the furniture moved free.

and the few days rent on the old house was Now in their new home they were happy and got along nicely until Uncle Jack came

He talked it over with Grace, who was

delighted with such an offer, and they

made arrangements to move the next day

Talking to Grace one evening Robert said: "I think now you will admit that the big advertigements in The Bee are not the only thing worth reading but The Bee

HOW MUCH CAN YOU SEE IN A WANT AD! THERE IS A STORY BACK OF EACH.

# Available Office Space

On account of changes being made to accommodate one of our tenants with more office room, we will have for rent on July 1st, a

desirable space on sixth floor facing Farnam street. This room is 20x20, in the southwest corner of the building and is well lighted; also has large fire proof vault. Partitions will be arranged to suit permanent tenant.

The Omaha city charter of 1905 provided that in appropriating lands for park and other purposes three appraisers should be appointed by the city council, except that in cases where land of the value of \$50,000 or more was to be taken, five appraisers should be appointed. Held, that as a preliminary step in the appointment of appraisers the council must exercise its own judgment as to the value of the land to be taken, and, if but three appraisers were appointed and their report anowed the land to be of the value of \$50,000 ar more, a second appraisement made by five appraisers must be had, but that the appraisers would be valid regardless of the value found by them.

2. One section of a city charter provides for the appointment of the members of the park board by the judges of the district court of the judicial district in which the city is located. In a case determined by this court it was held that the statute directing the appointment to be made by the district in which the city is located. In a case determined by this court it was held that the statute directing the appointment to be made by the district in which the district in the papointment to be made by the district in which the district in the appointment to be made by the district in which the district in the appointment to be made by the district in which the district in the appointment to be made by the district in which the district in the appointment to be made by the district in which the district in the appointment to be made by the district fudges was unconstitutional and that the park board should be appointment to be made by the district in which the case of the case of