

THE PIOCHE WEEKLY RECORD.

VOL. XLVIII.

PIOCHE, NEVADA, THURSDAY, MAY 26, 1898

NO. 21.

THE SCRIP CASE.

The Supreme Court Sustains The New Law.

The scrip case which has been in court for the past nine months has been decided and the new law is permitted to stand. The matter is of interest to all present creditors and all prospective servitors of the county. The merits of the case were not considered, but the court rested upon one of its former decisions.

Following is the present decision in full:

The appellant Thompson made application to the District Court for a writ of mandamus against the respondent Turner, as Auditor of Lincoln County, to compel the issuance of warrants for the payment of certain certificates of indebtedness owned and held by the appellant, against the general fund in the treasury of said county. From a judgment in favor of the respondent, the appeal has been taken.

The refusal of the respondent to issue the warrants is based upon that certain Act of the Legislature making provision for the payment of the indebtedness of Lincoln County, approved March 6, 1897. Statutes of Nev. 1897, p. 47.

The appellant contends, that this Act is unconstitutional, and the question presented by this contention is the only one to be determined. The same question was before this court in the case of Youngs vs. Hall 9 Nev. 212, in which a majority of the court held a similar Act constitutional. While that case may have been criticised, and doubts may be entertained as to the correctness of the ruling, it has been the recognized law of the State for a number of years, and the Legislature has since passed a number of acts similar in character.

This court since the ruling in Youngs vs. Hall, supra, held a similar Act constitutional.

Odd Fellows Quillens & Commercial Bank vs. Sullivan, 11 Nev., 109.

We must therefore consider the question as settled, and are unwilling to disturb the rule. This conclusion has been reached after a long and careful consideration of the very cogent reasons urged on behalf of appellant, and without expressing any opinion as to what the rule should be, if the question were new, the judgment will be affirmed.

We concur: Belknap, C. J.
Bonniwell, J.

The printing plant of the People's Advocate which was published at Austin several years ago has been moved to Winnemucca and D. S. Truman has started publication of the paper there. The paper is published for political purposes and is one of several new papers just opening up in several quarters of the state. Truman says he publishes the paper "because he wants to", and its mission appears to be opposition to the Central Pacific Railroad.

The opposition to the railroad by the northern counties in the state is hard to understand by the counties situated in the south. Without the railroad to assess and use as a base of revenue there's not a county through which it runs but what would be in the dumps as bad as the southern counties in the state, and possess as small a population. We would be glad to put up with the practices of a monopoly, if we could only have the benefits of rail transportation hereabouts, and we're praying for it to come.

Our avenue of transportation however, is via Milford Utah and the Union Pacific System, and with that 120 miles away, we don't come in close contact, and railroad schemes are not the greatest of our troubles.

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The meeting called for last Thursday evening to discuss the proposition of a public celebration of the 4th, was overlooked entirely, and a meeting for the same purpose will be held at the court room this evening. Everybody is asked to attend so that we may arrange for an old time celebration.

D. L. Wertheimer and wife arrived this afternoon on their way home to DeLamar.

Judge Talbot is expected to arrive by Saturday's stage.

The recruiting of a new cavalry troop is going on at Carson.

Judge Rives is expected here by Saturday to attend the approaching court sitting.

At Ely last week, Ben Miller had one of his shoulders pulled out of the socket by a vicious horse.

The case of Jos. Cook vs. J. D. Campbell, tried last Saturday, is to be appealed to the District Court.

Dr. Ascher, who was located at DeLamar last Summer has gone from Cherry Creek to join the army surgeons.

District Attorney McNamee came in from DeLamar yesterday and will remain until the close of court.

W. T. Bennett, who was brought in from Deerlodge about the middle of last month, is improving and is almost able to be out again.

The A. O. U. W. Order here will give a ball at Thompson's Hall on the evening of June 6th. It will be fully attended and will be an enjoyable affair.

Rev. T. W. Sneed of the Episcopal All Saint's Mission at DeLamar will visit here on June 1st. and will hold religious services at the district court room on the evening of June 3rd.

Dr. J. D. Campbell leaves for Carson next Monday to attend the Grand Lodge of the Masonic and I. O. O. F. Orders, as a representative from this quarter of the state. He will also while there apply to the Supreme Court for admission to practice law. He will be absent several weeks.

The decision of the Supreme court in the matter of requiring the production of poll tax receipts as a prerequisite to registering for an election, is looked for with some anxiety. If the law is upheld it will cut down the vote all over the state very materially.

When the bill was introduced in the legislature and was under discussion it was shown that some counties in the state who were loudest in their demand for political recognition, etc, paid fewer poll taxes according to their vote than any other counties in the state. Storey and Ormsby counties were the two most prominent. Storey county with 1462 votes paid only 540 poll taxes, while Ormsby county with 821 votes paid but 469 poll taxes.

THE NEWSPAPER LAW.

All Subscribers Should Read The Following Law and Avoid Trouble.

1. All subscribers who do not give express notice to the contrary are considered wishing to continue their subscriptions.

2. If subscribers order the discontinuance of their periodical the publisher may continue to send it until all arrearages are paid.

3. If subscribers refuse or neglect to take their periodicals from the office to which they are directed, they are responsible until they have settled their bills and ordered them discontinued.

4. Subscriber moving to other places without informing the publisher, and the papers are sent to the former address, they are held responsible.

5. The courts have decided that refusing to take periodicals from the office or removing and leaving them uncollected for, is prima facie evidence of intended fraud.

6. If subscribers pay in advance they are bound to give notice at the end of the time they do not wish to continue taking it and the subscriber will be responsible until an express notice with all arrearages are sent to the publisher.

7. The latest postal laws are such that newspaper publishers can arrest anyone for fraud who take a paper and refuses to pay for it.

Under the law the man who allows his subscription to run along some time unpaid, and then orders the postmaster to mark it "refused" and have a postal card sent notifying the publisher, leaves himself liable to arrest and fine, the same as for theft.

Notice.

The undersigned has been appointed agent of A. Mandich and all persons knowing themselves indebted to said A. Mandich will arrange to pay their claims to the undersigned and save costs.

M. Church.
Pioche, April 12 1898.

Beauty is Blood Deep.

Clean blood means a clean skin. No beauty without it. Cascarets, Candy Cathartic clean your blood and keep it clean, by stirring up the lazy liver and driving all impurities from the body. Begin to-day to banish pimples, boils, blotches, blackheads and that sickly bilious complexion by taking Cascarets,—beauty for ten cents. All druggists, satisfaction guaranteed, 10c, 25c, 50c.

GAMBLING ON THE NILE.

Breaker of Faro Banks Tells How the Thing is Done.

"Pat" Sheedy is back in New York from Europe after an absence of five months, during which time he made a careful study of the conditions at Cairo, Egypt, where it has been the dream of his life to establish an oriental Monte Carlo and catch some of the vast amount of money that flows thither. But the famous breaker of Faro banks, looking more like a sleek, full-bodied clergyman than ever, isn't very hopeful. He says that so long as England rules in the land of the Nile there is no more chance of establishing a public gambling house there than there is of opening one on Broadway.

"Monte Carlo will never have a rival," said Mr. Sheedy, gloomily. "As long as Monte Carlo stands it will be alone in the field. In Egypt everything is ripe for the establishment of such a place, except English power, and so long as there is British domination in Egypt there can be no open gambling. There is money unlimited, and the gambling spirit is rampant, but the English will not stand for it, although there is a great deal of play in the clubs, and I doubt if there is another place on earth where there is more gambling than in Egypt; but it is all behind closed doors. They are all hawks and no chickens there, and the man who sallies forth in search of soft marks is doomed to disappointment.

"The Russians are the most desperate gamblers at Cairo, the Greeks the shrewdest, the Turks the most daring. These Cairo gamblers take risks that would set an American to rubbing his eyes. Anything that is square satisfies them. The American is a good gambler, but his name is like marbles against billiards as compared with the gambling of Europeans. Why, I saw old Castellane, whose son, the count, married Anna Gould, get up from bankrupt with a roll of \$49,000 wads. He met three friends at the door, lent them \$2,500 apiece, turned back and dealt for them, pitted his pile against what he had staked them for. He broke one of them, but the other two broke him; and, after repaying the \$2,500 apiece, they went away richer by \$44,000."—N. Y. Sun.

FARMER AND MEGAPHONE.

A Pilot on a Boat Stops a Horse in a Cornfield Near By.

I was on the upper Ohio this summer when the river was low and was much amused over the use to which a pilot put a megaphone. He bought the thing to call ashore any message that might have been given the boat to carry. This was to save time, for those little boats in the local trade are a great deal like the old-fashioned mail carriers—anything to accommodate the people along the bank.

We were in the pilot house, and the boat was running up a chute near the West Virginia side of the river. In a cornfield was an old farmer who was following a plow behind an old flea-bitten gray that only needed a half-inch to stop at any time. The pilot put the megaphone to his mouth and shouted: "Whoa!" and the old gray whooped.

The farmer heard the sound, and he thought, evidently, that a neighbor was there or thereabouts. He looked around to see from whence the sound came. Then he tossed a clod at the old horse and started him up. "Whoa!" said the pilot, and again the old horse stopped. Then the old Rube went to the river bank and looked down in the willows, but not a soul could he see. He looked up and down and then at the steamboat, and scratched his head in surprise. He couldn't afford to waste any time in looking for the ghost, for he went back to the plow and started on with his job.

"Once more the joking pilot said "whoa!" and again the horse stopped dead still. You could see from the boat that the old fellow was all mixed up, for he looked up and down the river and then at the hillside behind him to see if he could find the man who was working him and his old horse. He made up his mind that he would take it out of the old gray, and to fix for the occasion he went to the underbrush and cut a stick that was ten feet long. He started the horse with a vengeance. When the pilot hollered "whoa!" again the old man gave the gray a lick that sounded clear to the boat. We could almost hear him say: "I'm in a fix in stop when you hear a spook hollerin' at ye."

But the pilot kept up the good work and hollered "whoa, whoa, whoa!" and again and again the old man hit the gray. Finally it looked as if he had caught on, for he let the old horse stop while he watched the boat.

Then the pilot thought he had had enough fun and he called out: "Feed the old gray; feed him. He's so hungry that he can't work. That's all the matter with him." Then old Rube got his voice and we heard him say: "You got to thunder with your old voice! It'd stop a railroad train anywheres."—Cincinnati Commercial.

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SOCIETIES.

I. O. O. F. PIOCHE LODGE NO. 28.

MEETS EVERY TUESDAY AFTERNOON 2 o'clock in their hall on Main street. Visiting Brothers cordially invited to attend.

G. O. F. Freudenthal, N. G. J. D. Campbell, Secretary.

A. O. U. W. PIOCHE LODGE NO. 28.

THE REGULAR MEETINGS OF Pioche Lodge No. 28, A. O. U. W., are held in Odd Fellows' Hall on Wednesday evening of each week at 7:30 o'clock sharp. Visiting brothers are cordially invited to attend.

G. O. SWEET, N. W. H. E. FREUDENTHAL, Recorder.

PIIONEER TENT NO 2 K. O. T. M.

Regular meetings Weekly on Monday at 8 p. m.

J. D. Campbell, Commander. W. J. Campbell, Record Keeper.

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Office in the County Assessor's room at the Court-house.

Union Pacific System

Local Time Card in Effect Monday May 9th, 1898.

NORTH BOUND. Leave Pioche 5:45 a. m. Leave Milford 7:30 a. m. Leave Jubb 8:50 a. m. Arrive Salt Lake 6:20 p. m.

SOUTH BOUND. Leave Salt Lake 7:30 a. m. Leave Jubb 10:00 a. m. Arrive Pioche 8:40 p. m.

Trains leave Salt Lake for Ogden daily at 7:00 and 9:00 a. m. and at 4:30 and 7:30 p. m.

Trains between Pioche and Jubb run daily, except Sunday.

Two through trains daily from Salt Lake to all points East, leaving Salt Lake at 7:00 a. m. and 7:00 p. m.

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Trans-Mississippi and International Exposition.

OMAHA, NEBRASKA.

June 1st. to November 1st. 1898.

Nevada Commissioner,

Col. H. B. MAXSON Vice-President of Nevada, Reno, Nevada.

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The Trans-Mississippi and International Congress is composed of delegates from every State and Territory West of the Mississippi river. The idea of this exposition originated in that Congress at its session at Omaha in 1895, and the project has become a National enterprise and the National Commission has been organized and is in active service, there being one commissioner for each of the several departments of the Government. Most of the Trans-Mississippi States are well along in the way of gathering exhibits from their respective States and many of them have made liberal appropriations, while others are preparing exhibits through private enterprise.

Vice-President H. B. Maxson of Reno, has made arrangements whereby he can get Nevada exhibits, shipped from any point in the State along the line of the C. P. R. to Omaha and return, and he requests all persons who wish the interests of the State advertised, to co-operate with the Exposition County Commissioner of his county, whose name is shown above, and prepare some product of his county and send it to the nearest point on the C. P. R. from which place it will be sent to Omaha and exhibited, and returned to the same point at the close of the exposition, free of expense to the exhibitor. Full information should accompany everything sent for exhibition. Before sending anything to the line of the railroad a full description should be given to the Exposition Commissioner of the county, who in turn will notify the Vice-President, who will notify him what action to take, otherwise there might be many duplications. Apply to your County Representative for further information, and don't let this opportunity of advertising the resources of Nevada be lost.

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