

STATE BOARD IN CONTEMPT

Judge Cornish Passes on the Board of Transportation Case.

TELEPHONE PEOPLE HAVE RIGHT OF APPEAL

Court Finds Supersedeas Bond Filled in Good Faith and Injunction Willfully Disobeyed by State Officers.

LINCOLN, July 25.—(Special.)—Judge Cornish of the district court today filed his decision in the contempt case brought by the Nebraska Telephone Company against J. S. Smyth, J. W. Edgerton, J. C. Dahlman and G. L. Laws. The court finds the defendants true, declares that the defendants have disobeyed the order of injunction, which, "being willfully done, constitutes a contempt of court."

While the order of injunction does not describe in further detail than that the defendants shall desist from further proceedings and pay the costs of this suit, it is anything but flattering to the attorney general, as it holds that the defendants acted in contempt from ignorance of the law and of the rules of the court.

Accompanying the order is the full text of the opinion of the court, as follows: On the 8th day of July the court sustained the defendant's demurrer to plaintiff's petition, dissolving the temporary injunction before granted in which certain orders, dismissed plaintiff's action and fixed the amount of the supersedeas bond. Two orders were signed, one of the defendant, the other dismissing the action and fixing the amount of the bond, but both were entered at one time.

On the 15th day of July the defendants were proceeding as though the bond filed by plaintiff did not supersede the order dissolving the injunction, on the theory that the order superseded was the one dismissing the case and not the one dissolving the injunction.

Section 677 of the code provides that "when the decree or final order dissolves any order of injunction which has been granted, the supersedeas bond shall be in such sum as the court shall prescribe, and such supersedeas bond shall stay the doing of the act or acts sought to be restrained by the suit, and continue such injunction in force until the case is finally and finally determined in the supreme court."

It is conceded by defendants that if the two orders had been in one order that then the filing of the bond would have superseded the order dissolving the injunction. The court is of the opinion that the two orders, being entered at the same time, are in effect one order and that the legal right of the plaintiff to an appeal ought not to be defeated by the form of the orders entered.

The court does not pass upon the question whether parties appealing can unnecessarily delay the trial of their case by perfecting their appeal in the supreme court. Parties are allowed twenty days to file their bond and they must be allowed a reasonable time in which to perfect their appeal, and the court does not believe that from the 8th to the 15th of July was sufficient time.

Counsel for the plaintiff state that they were proceeding to file their transcript in the supreme court when proceedings herein were commenced by the state, and that they have no disposition to make delay. No apparent intention on their part to do so has been shown and the court will not presume.

CHILDREN FATALLY BURNED

Two of Them Dead and Two More Not Expected to Live.

ARE LEFT AT HOME BY THEIR PARENTS

Oldest, a Boy of Eleven Years, the Only One to Escape—Too Excited to Tell How It All Happened.

BEATRICE, Neb., July 25.—(Special Telegram.)—Two children of Mr. and Mrs. Elmer Wallman, who live two miles northeast of Beatrice, were burned to death yesterday afternoon and two more are not expected to live through the day.

After dinner the parents went to a neighbor's to spend the afternoon, leaving five children at home alone. About 10 o'clock they saw from where they were that there was a fire on their place and hurriedly started home, only to find on reaching there that their home was then almost entirely destroyed by fire. Running wildly about the place was the oldest of the five children left at home, an 11-year-old boy, the only one who had escaped the fire.

The fire originated in a summer kitchen adjoining but not a part of the house. The boy, who is a capable lad, the flames in a table to tell how the others met their fate. He is yet greatly excited and talks incoherently. A neighbor named Leners, who brought the information to town, says he thought the children in their excitement ran through the door of the house which was in flames instead of taking a safe exit on the other side of the house. The property loss is about \$2,000. Wallman is one of the most prosperous farmers of that section.

Harvest Notes. IMPERIAL, Neb., July 25.—(Special.)—Chase county is now engaged in gathering the best small grain harvest it has ever had in its history. The weather has been favorable for that purpose and in a few days more the entire crop will be safely shocked and stacked. Many pieces of wheat are estimated at from thirty to thirty-five bushels per acre, and oats at from fifty to sixty bushels per acre. The corn crop is looking fine.

Inter-Reservation Institute. CADRON, Neb., July 25.—(Special.)—This month witnessed one of the most interesting gatherings at Pine Ridge agency, S. D., that has taken place in many years. It was the annual inter-reservation institute of the teachers of Pine Ridge and Rosebud agencies, held at the Ogallala Boarding school, and demonstrated the progress of civilization and education. One of the interesting addresses of the association was delivered by Ben Brave, a full-blooded Sioux, on "Industrial Education."

Prostrated by the Heat. PLATTSBOROUGH, Neb., July 25.—(Special Telegram.)—Yesterday while out on a hard fall campaign. At the republican primary in this city a delegation was named and instructed for the county convention. The better element prevailed in every ward and administered a severe rebuke to the would-be rotten men who have had a hand in various rotten deals during the last few years. Not one delegate was given them. The primaries all instructed for Judge Newcomb, the better element prevailed in every ward and administered a severe rebuke to the would-be rotten men who have had a hand in various rotten deals during the last few years. Not one delegate was given them.

Platte River Flood. PLATTSBOROUGH, Neb., July 25.—(Special Telegram.)—Political factions in this county are wheeling into line, all preparing for a hard fall campaign. At the republican primary in this city a delegation was named and instructed for the county convention. The better element prevailed in every ward and administered a severe rebuke to the would-be rotten men who have had a hand in various rotten deals during the last few years. Not one delegate was given them.

Accidental Shooting. AINSWORTH, Neb., July 25.—(Special Telegram.)—Late this afternoon Charles Casselman, living five miles west of here, was accidentally wounded by a son who was hunting chickens, the shot taking effect in the face and side, rendering him unconscious. Medical assistance was summoned, but no further information has been received.

VALUATION AND BASIS OF LEVY

What Share of State Taxes the Counties Are Expected to Pay.

LINCOLN, July 25.—(Special.)—The following is the valuation returned by the various counties and the basis of the levy fixed by the State Board of Equalization:

Table with columns for County, Assessed State Levy, and Basis of Levy. Includes counties like Adams, Banner, Blaine, Boone, Box Butte, Brown, Buffalo, Butler, Cass, Chase, Cheyenne, Clay, Colfax, Columbus, Custer, Dakota, Dawes, Dawson, DeWitt, Dixon, Douglas, Dundy, Fillmore, Franklin, Frontier, Gage, Garfield, Grant, Grant, Hamilton, Harlan, Hayes, Hitchcock, Holt, Hooker, Howard, Jefferson, Johnson, Kearney, Keith, Keya, Knox, Lancaster, Lincoln, Logan, Madison, McPherson, Morrill, Nemaha, Nelkin, Otoe, Pawnee, Perkins, Phelps, Platte, Polk, Pottawatomie, Richardson, Rock, Saline, Sarpy, Saunders, Scotts Bluff, Seward, Sherman, Sioux, Spink, Stoddard, Thayer, Thomas, Thos. & Benton, Valley, Wayne, Webster, York.

GENERAL WESTERN NEWS

Dairy Business in Utah.

SALT LAKE CITY, July 25.—(Special.)—For many years Utah imported much of the butter and cheese that was consumed within its borders, and while there was universal feeling of dissatisfaction with the quality of the butter and cheese imported from other states, it was not until recently that the Utah dairy industry began to take shape.

South Dakota News Notes. A destructive hail storm struck near Alameda. Many building improvements are noted at Hudson. Felix Curran, a pioneer of Alexandria aged 72 died last week.

Endeavors Organized. HURON, S. D., July 25.—(Special.)—A convention of delegates and visitors from Christian Endeavor societies in Hyde, Hand and Beadle counties was held in Wolsey on Thursday and Friday, and a district association composed of the counties named was organized, these being chosen officers: President, Miss Margaret Thompson of Huron; vice president for Beadle county, Mr. McNeill of Winthrop; vice president for Hyde county, Miss Grace White of Highmore; vice president for Hand county, George Sheldon of St. Lawrence; secretary and treasurer, W. J. Pink of Wolsey.

Washington, July 25.—Forecast for Tuesday: For Nebraska, Iowa and Kansas—Fair weather; variable winds, becoming southerly. For Missouri—Generally fair; warmer; northerly winds, becoming variable. For South Dakota—Fair; warmer in eastern portion; southerly winds. For Colorado and Wyoming—Fair; variable winds.

Protecting Forest Reservations. DEADWOOD, S. D., July 25.—(Special.)—All the superintendents and supervisors of the Black Hills forest reserves have received instructions from Commissioner Herman at Washington in regard to fires and the removal of timber from the public lands. There will not be as much danger this fall from timber fires, for the reason that the forest reserves have complied with the law in removing the underbrush. It is generally desired that a portion of the present forestry reserve be opened up for settlement. The government survey made last year shows that there is a large body of timber in the western portion, which has been timbered at all and is rich in minerals. The survey also shows a large tract lying north-west of the present reserve which is well timbered and it is probable that this body of land will be included in the reserve.

Population of Kansas. TOPEKA, Kan., July 25.—(Special.)—Statistics now being received at the agricultural department indicate that there will be no material increase in the population of Kansas. Returns have been received from seventy-six counties, giving a population at the time the assessors made their rounds in March, 1898. Thirty-two counties show a population increase over the year previous and forty-one show a decrease during the last year. The increase is 15,112 in the thirty-two counties which have increased in forty-one counties is 11,145. Counties which show the largest gains are: Wyandotte, 6,687; Atchison, 3,870; Harvey, 1,255; Allen, 1,464; Franklin, 1,343; Republic, 1,192; Jewell, 1,100. The counties which show the heaviest decrease are: Cherokee, 1,694; Crawford, 1,044; Miami, 574.

Land Seekers Travel Northward. HURON, S. D., July 25.—(Special.)—Another lot of immigrants from Missouri passed through here last week. The same from Dent county and are the third lot, six families in all, that have arrived in this locality within the last ten days. They report quite an exodus from that part of Missouri to North and South Dakota. Most of them are party people, with teams and moving outfit, and more than half of them left this section of country three or four years ago, hoping to better their condition. They report times pretty hard down that way and crop not at all promising.

After South Dakota Land. YANKTON, S. D., July 25.—(Special.)—J. S. Dvorak, a prominent Bohemian of Tama City, Ia., is here as the representative of a large colony of Bohemian farmers in the vicinity of Tama City, who desire to sell their farms there and buy here. The low farm prices here will produce a net profit of better crops than lands here at from \$15 to \$25 per acre. Mr. Dvorak has \$50,000 to invest and will probably make his purchases from the western part of the country.

Fate of a Ranchman Now Known. DEADWOOD, S. D., July 25.—(Special.)—About four years ago a man named Oliver Taylor, a horse raiser, suddenly disappeared from his home at Sundance, over in Wyoming. The man was very well known and

CRATCHED CONSTANTLY

Baby Badly Afflicted with Eczema, Hands, Face, and Clothes Covered with Blood.

Face Covered with Large Sores, Medical Treatment Useless, Cured by Cuticura.

SKIN NOW SMOOTH AND ROBY.

My niece's little baby boy, two years old, was so badly afflicted with Eczema that he needed constant watching. It was all over his face, and he scratched the sores constantly. His mother, Mrs. J. H. H. H., tried everything that he heard of. She consulted with the CUTICURA REMEDIES last spring and found that at last she had a wonderful healer. The sores left his face and he was entirely cured, and now his face is as smooth and rosy as though no sore had ever been there.

CUTICURA WORKS WONDERS. In all the world there is no medicine so well, so speedily effective for dressing skin diseases of various kinds as CUTICURA. It is a pure vegetable preparation, and its use is entirely safe. It cures Eczema, Scabies, Itch, Pruritus, and all other skin diseases. It is sold in 50-cent bottles, and is sold by all druggists.

COOK REMEDY CO. BLOOD POISON A SPECIALTY. Cured in 15 to 35 Days. You can be treated at home for same kind of Blood Poison. We will send you a bottle of our Blood Purifier, and you can come here we will refund to you the cost of the medicine, and we will pay for your travel.

COOK REMEDY CO. BLOOD POISON A SPECIALTY. We guarantee to cure. We solicit the most obstinate cases and cure them under every condition. This disease has always baffled the skill of the most eminent physicians. \$100.00 capital, but we have an unconditional guarantee. Absolute proof sent upon application. Address: COOK REMEDY CO., 3401 Masonic Temple, Chicago, Ill.

DOCTORS Searles & Searles. Consultation Free. Stricture and Gleet Cured at Home. By new method without pain or cutting. Call on or address with stamp. Treatment by mail.

Brownell Hall. Opens Sept. 19th, 1898. Boarding and Day School for Girls. Under the direction of Dr. Rev. George Worthington, S. T. D., LL. D., Primary, preparatory and collegiate courses. Competent corps of teachers. Modern methods and every advantage offered. Strict attention paid to the moral, mental and physical well-being of the students. Diplomas conferred. Prepares for all colleges open to women. Special courses in High or English, French, Ancient and Modern Languages, Music and Art. Terms moderate. Building repaired and in excellent order. Sanitary plumbing. Satisfactory steam heating.

The Great Test. Of a pure soap is—will it shrink wool? If so, there's something wrong with it. For washing articles, use a soap that's wool soap. That's MY MAMA I WASH MINE USED HAD.

Wentworth Military Academy. Oldest, largest and best equipped in the world. Government supervision. New buildings being erected. Students rejected last year for want of room. MAJOR SANDFORD SELLERS, M. A., Supt. LEXINGTON, MO.

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