7050.

Kansas City, Fort Scott & Memphis Railroad Company vs. Nevada Berry.

Error from Crawford County.

REVERSED.

SYLLABUS. BY THE COURT. ALLEN, J

1. The rule as sometimes announced by this court that a verdict must be supported by sufficient evidence does not apply that the court will weigh conflicting testimony, but only that there must have been competent evidence upon every material matter to uphold the verdict.

2. A railroad company does not owe to a person riding on one of its trains without payment of any fare, merely by sufferance of the conductor in charge of the train, that high and extraordinary degree of care for his personal safety that is due to an ordinary passenger paying the customary fare, but is liable only in such case for injuries occasioned by the ordinary negligence of its employees.

All the justices concurring.

A true copy.

Attest: C. J. BROWN,
[SEAL] Clerk Supreme Court.

7007.

The Atchison, Topeka & Santa Fe Railroad Company vs. George C. Richardson, et al.

Error from Sedgwick County.

REVERSED.

SYLLABUS. BY THE COURT. ALLEN, J.

1. Where a shipper sues a railroad company for damages to perishable freight, and alleges in his petition that such shipment was made to a point which is in fact beyond the line of defendant's road, under a written contract, by the terms of which it is expressly provided, that the defendant shall not be responsible as a common carrier beyond its line of road, it is error to render judgment against the defendant because of delays occuring beyond the line of its road, where there is no showing of negligence on the part of the defendant, or of any injury to the freight while in its possession.

2. The annual report of the board of railroad commissioners made to the governor is not of itself evidence of the facts therein stated with reference to the ownership and operation of a line of railroad, but the official reports made by the railroad companies under oath to the board of railroad commissioners, and required by law to be filed with them, or copies thereof duly certified by the secretary of the board, are competent evidence against the company making them.

All the justices concurring.

A true copy.

Attest: C. J. BROWN,
[SEAL] Clerk Supreme Court.

7039.

Thomas M. Adams vs. W. H. Gillam.

Error from Sumner County.

REVERSED.

SYLLABUS. BY THE COURT. ALLEN, J

1. In an action to recover damages from a sheriff for a wrongful seizure of plaintiff's goods under writs of attachment issued in suits against his son, where on motion of the plaintiff made in such actions the attached property has been restored by order of the court to him, it is error to award exemplary damages, attorney's fees and other expenses attending the hearing of such motion, in the absence of any showing of fraud, malice or oppression.

2. *Held*, That in such an action the same rule obtains concerning the measure of damages as in an action of replevin to recover the goods and damages for their unlawful detention.

All the justices concurring.

A true copy.

Attest: C. J. BROWN,
[SEAL] Clerk Supreme Court.

7033.

James B. Franklin vs. Clara A. Franklin.

Error from Brown County.

AFFIRMED.

SYLLABUS. BY THE COURT. ALLEN, J

1. To reverse the judgment of a district court refusing a divorce on the ground of abandonment, the evidence showing an intentional desertion for at least one year, must be clear, convincing and uncontradicted, and it must also appear that such abandonment was not the result of the plaintiff's own wrong doing.

2. The case of a wife who has been afflicted with temporary insanity will be viewed with especial care and consideration, and all her actions will be weighed in the light of her physical and mental infirmities.

All the justices concurring.

A true copy.

Attest: C. J. BROWN,
[SEAL] Clerk Supreme Court.

IN THE SUPREME COURT OF THE STATE OF KANSAS.

I, C. J. Brown, clerk of the supreme court of the state of Kansas, do hereby certify that the foregoing are true and correct copies of the syllabi of the decisions in the above entitled cases as the same appear on file in my office.

Witness my hand and the seal of the supreme court, this 12th day of March, 1894.

[SEAL] C. J. BROWN,
Clerk Supreme Court.

Apply at once to the ADVOCATE for special club terms.

[First Published March 14, 1894.]

Governor's Proclamation.

$300 Reward.

STATE OF KANSAS,
EXECUTIVE DEPARTMENT.
Topeka, Kansas, March 3, 1894.

WHEREAS, On the 27th day of February, 1894, in the city of Wichita, Sedgwick county, Kas., one James Dow was found in a building dead, having been beaten to death with a railway coupling pin; and

WHEREAS, One John Webber, an unknown person, is charged with the murder of said James Dow; and

WHEREAS, The said John Webber evaded the officers of the law and is now at large.

Now, therefore, I, L. D. Lewelling, governor of the state of Kansas, by virtue of the authority in me vested, do hereby offer a reward of $300 for the arrest and conviction of said John Webber for the murder of James Dow.

In testimony whereof, I hereunto subscribe my name and cause to be affixed the great seal of the state. Done at the city of Topeka, on the day, month, and year first above written.

[SEAL]

By the Governor: L. D. LEWELLING,
Governor.
R. S. OSBORN,
Secretary of State.

[First Published March 14, 1894.]

Notice.

Penitentiary Coal.

SEALED BIDS will be received by the Board of Directors of the Kansas State Penitentiary, at the office of the Warden until 12 o'clock noon, of Wednesday, May 9, 1894, for the surplus output of coal of the penitentiary mine for one year commencing June 1, 1894. The successful bidder to take not less than 50,000 bushels during each of the months of April, May, June and July; not less than 75,000 bushels for the month of August, and the entire output of coal during the remainder of the year, excepting the wagon trade at the mine, and the supply of state institutions, which is reserved.

All bids to be accompanied by a certified check of $1,000.

The Board reserves the right to reject any or all bids.

By order of Board of Directors.

S. W. CHASE, Warden.
J. W. YARROLL, Chief Clerk.

[First published February 14, 1894.]

Legal Notice.

OFFICE OF THE CITY TREASURER,
LAWRENCE KAS., February 7, 1894.

To Whom it May Concern:

You are hereby notified that the following named bonds of the city of Lawrence, Kansas, will be paid at the National Bank Republic at the Fiscal Agency of the state of Kansas, in the city of New York, N. Y., within thirty days from this date, viz., No.'s 1, 2 and 3, funding bonds, series "B," amount $500 each, issue of January 1, 1888.

C. P. DUNCAN,
City Treasurer.

THE MARKETS.

CHICAGO, March 12, 1894.

WHEAT—No. 2 cash, 56½c; No. 2 hard, 56c No. 3 hard, 53c.

CORN—No. 2 cash, 38¾c; No. 3, 37c.

OATS—No. 2 cash, 31c.

TIMOTHY SEED—Cash contract, $4.15 per 100 lbs.

MESS PORK—Cash, $11.60.

LARD—Cash, $7.02½ to 7.40.

RIBS—$6.15.

LIVE STOCK.

KANSAS CITY, March 12, 1894.

CATTLE—Texas cows, $1.50@2.10; shipping steers, $3.50@4.30; Texas and native cows, $1.50@3.10; butchers' stock, $3.15@4.00; stockers and feeders, $2.80@3.40.

HOGS—Market 5 to 10c lower. Bulk of sales, $4.55@4.60; all grades, $4.10@4.70.

HORSES.

W. S. Tough & Son, managers of the Kansas City Stock Yards Horse and Mule department report the market as opening up strong, and prices remained firm until the last day of sale, and as most of the shippers had filled out the trading was a little slack and prices dropped off a shade. The majority of the buyers were from the south. A great many came from Arkansas. They bought a little better quality than usual. There was a good eastern demand, but the supply of this kind was not very great. It is difficult to predict the future during the coming season, and at best the prospects are not very flattering, especially when the southern trade lets up, which it will do soon.

Extra draft, 4 to 7 years	$100 00	@	$125 00
Good draft, " "	60 00	"	90 00
Extra drivers " "	100 00	"	175 00
Good drivers " "	65 00	"	90 00
Saddle good to extra	75 00	"	175 00
Southern mares and geldings	25 00	"	75 00
Western range, unbroken	20 00	"	50 00
Western ponies	12 50	"	20 00

MULES.

14½, 4 to 7 years, extra	$ 45 00	@	$ 60 00
" " " good	35 00	"	50 00
15 hands 4 to 7 years, extra	75 00	"	90 00
15 " " " good	70 00	"	80 00
15½ " " " extra	100 00	"	120 00
" " " " good	90 00	"	100 00
16 to 16½, good to extra	100 00	"	135 00

For Sale Cheap.

An excellent newspaper and job office, good as new, or will take partner to establish a paper where needed. Address W. H. T. Wakefield, Lawrence, Kansas.

Dutton House, Topeka, Kas., $1.25-$1.50 per day

She Reads and Thinks.

To the Women Who Read the Advocate:

I was wondering to-day how many women are interested in the ADVOCATE, and thinking how nice it would be if I could see them all, for I am sure one would not find them dull company. I can not tell the sisters is this great reform cause how much I would like to take some active part in the great work which is to be done, but here, and now, there seems to be no opportunity, so I must remain as quiet as one can who could not and would not check the flow of thoughts, hopes and wishes which ever throng the active mind of progress. There may be others who, like myself, are shut in or shut out from taking active part until they too have come to regret that they can do so little where there is so much to be done. But let us not be discouraged. There is a time when the prophet's hands need to be stayed, so while there remains a wrong to be redressed, even until right is enthroned, the cause will need a stay, the stay of honest prayer, and surely there is no higher prayer than honest hopes and earnest desires of a good woman's heart. I am only a woman who cannot vote, but sisters, if I could vote, the burning desires which I cherish would be less burning. Did you ever think of that? And after all the silent influences are the most powerful. So if we can only think and hope, faithful to the end, we shall not only recieve the crown (the right to vote some day) but we shall have the satisfaction of seeing established the condition of things for which we so earnestly prayed, but could not vote. I have a scientific knowledge of the fact that a thought is a something of power and it is well for us to be careful not only of the character of the thoughts we entertain, but be sure we do entertain some good ones. I know you will all say with me, God bless our Annie L. Diggs, and surely we must make mention of our Linn County Farmer and all the rest of our able writers. I have most loving regard for them all. I think there ought to be a woman's column in the ADVOCATE. I have always thought so, not that the columns are not all good, and I consider them all mine too. The other day I heard the remark, "Oh, I wish I had been here in the time of Jesus;" and I thought, well, perhaps you would have said amen, crucify Him, he is an odd stick, a crank. Surely he is blind who can not see that the ever present now is the time for us to work; and there is work to do, even though amid scoffs and jeers the workers must toil on until all established wrongs are righted; for just so surely as the light disperses darkness, so surely must all greed and selfishness be driven from the earth, and mankind know and practice understandingly the teachings of the Christ, the fatherhood of God, and the brotherhood of the race. And then in that better time it will be seen that politics and religion are one in the light rays of the sunshine of brotherly love. Many questions and vexing problems of political and local differences will be answered and solved readily. Man ever will find as he ever has found that for which he earnestly searches. All conceived good must and will find and an expression; the principle of good can not die, it is too real. It has a backer, inasmuch as it can not be separated from its source, which is God. Let us then cherish the highest hopes and loftiest ideals for all humanity and its future condition. I am reading "The Dead Line," and last week's was so good that I said, "hurrah for 'Slick Blackburn.'" NELLIE L. HALL.
Rosaville, Kas.

BEEHIVES very cheap. EMERSON ABBOTT, St. Joseph, Mo.

TRAVELERS WANTED: Faithful gentleman or lady to travel representing established house. Salary $780 and expenses, with increase. Enclose reference and self addressed stamped envelope. THE DOMINION CO., Chicago.

CUT THIS OUT and send it to us with your name and address, and we will send you this elegant watch by express for examination. You examine it and if you consider it a bargain pay the express agent $1.98 and express charges and it is yours. Fine gold plate Chain and Charm FREE with each watch. Also our written Guarantee for 5 years. Write to-day, this may not appear again. THE NATIONAL MFG. & IMPORTING CO., 334 Dearborn Street, Chicago, Ill.

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