

**A LEGAL QUESTION.**

Some weeks ago a case came up in one of our justice courts, where the defendant asked for a change of venue. The law says in such cases the change shall be granted, one change to each of the parties to the suit, if desired. And further, that it shall be to the nearest justice, unless said justice is of kin to either party, or is sick, or out of town, or is "interested in the event of the suit as counsel or otherwise." The question was whether the nearest justice was interested. The justice before whom the case was brought claimed that he was, though he afterwards became satisfied he was not. Now, who should decide? In this instance the justice decided that the nearest justice was interested and so sent the case to the next nearest justice, who was out of town, and then he held the papers and fixed the time, several days ahead, when the next nearest justice would hear the case, and when he came home handed him the papers in the case, and the defendant, who asked for the change, refused to recognize the next nearest justice jurisdiction and let the case go by default, and then took an appeal to the circuit court.

Now did the justice do right in refusing to let the case go to the nearest justice because he thought he was "interested in the suit," and so sent it to the next nearest? A recent case came up in Cook county and reported in a Chicago law journal in August where a justice had refused to send a case to the nearest, and sent it to the next nearest justice, and an appeal being taken to the superior court, it was at once thrown out on the ground that the justice's duty was to send it to the nearest justice, and he had nothing to do with the question of whether he was interested in the suit as counsel, etc. The plaintiff or defendant must decide that, and before the justice could take cognizance of their objection to the nearest justice, the party so objecting to him must make an affidavit in writing, and swear to it, and file it with the justice, and then, and not till then, can he send it to the next nearest justice, if the nearest one is on hand to hear it.

Hence according to this decision in the case to which we allude, Farmer vs. Hall — the next nearest justice to whom it was taken had no jurisdiction and so had Mr. Hall been able to attend to his case when it came up, it would have been thrown out of court and left all the costs on the Farmers. Not being able to be

present, Mr. Hall settled it, and Mrs. Farmer got her money, the reason of the appeal being settled by the Chicago decision. It was Mrs. Farmers good fortune that Mr. Hall was in Tennessee when his case came up in Waukegan, else the case would probably have been thrown out of court and she been out of pocket some \$12 to \$20.

**CORRESPONDENCE.**

EDITOR OF THE NEWS:

The Highland Park Volunteer Fire Department held a lively meeting on last Friday evening. The cause of all the excitement was the opening of bids for rubber boots by Secretary Joseph Fromm. There were four bidders: M. Moses & Son, James M. McDonald, Lazarus Loeb and Mrs. A. Bock. Mrs. A. Bock's bid was found to be twenty-five cents a pair cheaper than all competitors' and was accepted. Our "fire laddies" are all hustlers and know a good thing when they see it. Look out for their masquerade ball in the near future. \* \*

**DICTIONARY OF DATES.**

In 1857 the editor purchased Haydn's "Dictionary of Dates," and during all these years it has proved an almost daily vademecum. But of course it has become old and out-of-date, and like an old family horse kept for the good it has done. Monday he found a copy of a new edition, the 21st, we think, a stout octavo of 1216 pages for \$5.00 and he took it, as it is one of the inflexible rules of his life to buy a new edition of Haydn once in forty years, and he intends to observe it as long as he lives. The book is one of the best of the kind in the language and should be in every reference library.

New time last Sunday, don't get left. They have cut off five trains coming out from Chicago, and four going into the city. But we have a good train service yet, 23 trains from Chicago to the Park, and 21 from the Park back, every week-day and 12 each way Sundays. Not more trains but lower rates is what we want.

City Attorney Smoot has a new cement walk built from the street to his front door. It is straight and wide and his clients can easily follow it. It has the scriptural breadth, to suit the needs of those who wait on lawyers.

Mr. Morrison, of Central ave. of the wholesale house of Carson, Pirie, Scott & Co., fell from a ladder Sunday, and broke his ankle. His wife is just recovering from a long siege of illness.

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