## THE OMAHA DAILY BEE: MONDAY, SEPTEMBER 23, 1901.



by a business man of Steinauer. for improvements was all paid over to the treasurer of the city of Beatrice and neither Gage county nor any of its officers GIBBON FARMER KILLS HIMSELF has had at any time since the plaintiff

Huron. Finds David Mercer Dangling in His Corn Crib, Too Late to Save. KEARNEY, Neb., Sept. 22 .- (Special Telegram.)-David Mercer of Gibbon, Neb., committed suicide this morning at that place about \$:30 o'clock. He was found by his family, hanging in a cornerib upon his Plates were laid for thirty guests. place, west of Gibbon. He was still alive Attorney General John L. Pyle was maswhen cut down, but expired soon after-The deceased was 65 years old and ward. leaves a wife and seven children. No cause is given for the act.

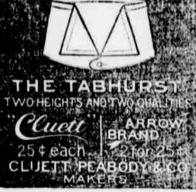
"guilty," and he was held to the district court in \$200 bonds, which were furnished Bendle County Bar Toasts Him at a Banquet Given at

FAREWELL TO JUDGE CAMPBELL

from her tribe and drifted to the Yankton arrest by the federal authorities. It is not

T. C. Marsh, who recently assumed the dian reservation, is seriously ill in the duties of secretary to the local Young Men's county jail in this city and fears are enter-Christian association, is bending every entained that she will die. She is an outcast ergy to the upbuilding of the association. An effort is being made by Secretary reservation, where she resided until her Marsh to secure more desirable and more

C. C. Stanley stated yesterday that his business would not permit him to make the race for county commissioner. He expects to be away a great deal this winter and could not, therefore, attend to the duties of the office if elected. commodious quarters for the association



INSURANCE.

THE FIDELITY MUTUAL LIFE

located and arrested.

John Englin, the lad who was kicked by a horse on Saturday, was reported some-what improved by the nurses at the hos-pital yesterday. He is doing as well as could be expected under the circumstances.

filed his claims, any moneys received on account of such special assessments. It is contended in this case by the defend

Gage county received from plaintiff's as-

signor on account of special assessments

ant. Gage county, that the rule of caveat emptor applies, and that the plaintiff was bound to take note of all defects in the proceedings leading up to the tax sale at which he purchased, and the defendant in his brief concedes that in the absence of an express statute to the contrary, the rule of caveat emptor applies to a purchaser at a tax sale, and that the liability of a county to a tax purchaser on a void sale is not at common law. This being conceded, the simple question was presented whether or not the provisions of section 131, chapter 77, compiled statutes of Nebraska, were broad enough to entitle the plaintiff to the relief sought in this case.

Judge Letton says in his opinion: "It has been earnestly urged and with great force that under the holdings of the supreme court of Nebraska, a county insures to a tax purchaser that he shall not lose his money and many decisions have been cited to support this proposition. It is enough to say that in every case cited the tax in question was not a special assessment for improvements, but a general tax. and of these impositions stand upon the same footing, the plaintiff must prevail, while if the statute does not apply to special assessments, he must fall in the action. Hence the question is after all purely of statutory construction. The precise question presented in this case is a new one in this state, and so far as the court has been able to ascertain by a careful examination of the stattues and decisions of other sattes, this identical question has never been presented to any court for its de-

# WILL BE PROTECTED IN ASYLUM Charles Spencer of Plattemouth, Im-

## agining Danger from Mob. is Adjudged Insane.

PLATTSMOUTH. Neb., Sept. 22 .- (Special.)-The insanity commission, consisting of Dr. E. W. Cook, Attorney C. A. Rawls and Clerk of the District Court Houseworth, met yesterday and examined Charles Spencer, who has resided in this city for twenty years, and pronounced his a fit subject for the asylum for insane.

He applied to the officers several days ago for protection from a mob, which he imagined was gathering to do him great bodily harm. Since that time he has been confined to the county jail, but instead of getting better as was hoped, he has grown worse. Last evening he attempted to end his troubles by hanging himself, but was prevented from doing so by the officers. Sheriff W. D. Wheeler will take him to the asylum for insane in Lincoln soon

Madison County's Nominees.

BATTLE OREEK, Neb., Sept. 22 .- (Special.)-The Madison county republican convention met here yesterday. John R. Hayes was elected chairman and J. L. Knesel secretary. The following nominations for county officers were made: For treasurer, R. C. Miles of Madison; for clerk, Philip Bauch of Madison; for judge, M. J. Moyer of Madison; for superintendent of public instruction, John Barnes, ir., of Norfolk; for sherfff, J. J. Clemments of Norfolk: for surveyor, William Lowe of Norfolk; for coroner, Dr. D. B. McMahan of Newman Grove; for commissioner of Second district, James Roseborough of Tilden. A new county central committee was elected with R. H. Reynolds of Norfolk, chairman, and W. A. Hemleben of Norfolk secretary.

#### Verdict Against Langdon.

more days' work remain to be done. An | damage so far.

## Promised Land Promises Well.

PLATTSMOUTH, Neb., Sept. 22.-(Spe cial.)-An especially attractive feature of the services held at St. Luke's Episcopal church this morning was the solo. Promised Land," sung by Miss Edna Mar shall, with violin obbligato by Miss Lillian Kauble. This song was composed espe-cially for Miss Marshall, who possesses a soprano voice of such rare sweetness and power that a brilliant future is promised her in the musical world, and her artistic rendition of this song was particularly pleasing. The arrangement and execution of the obbligato by Miss Kauble proved her to be a virtuoso of distinctive ability. The song is the composition of Mrs. L. E. Burton of this city, and has been sold to a publisher of New York City.

#### English Lutherans Adjourn.

WEST POINT, Neb., Sept. 22 .- (Special.) -The annual conference of the Nebraska synod of the English Evangelical Lutheran church, which has been in session here during the last week, closed its labors today. Sixty-one delegates were in attendance, iwenty-eight clerical, nineteen lay and fourteen women delegates to the Woman's Home and Foreign Missionary society, which held its sessions under the direction of the synod. Rev. L. P. Ludden of Lincoln and Rev. Luther M. Kuhns of Omaha took prominent parts in the councils

### For Selling Liquor to Indians.

PENDER, Neb., Sept. 22.-(Special.)-Alexander Thorn, colored, and Thomas Parks, white, were taken to Omaha by Deputy United States Marshal James Allen charged with selling liquor to the Indiana It is claimed that Thorne has been operating in the Omaha reservation, east of Pender, for some time. Parks, who is 68 years old, was taken at Bancroft, where he has been a resident since 1858. A preliminary hearing was given yester-

day by Commissioner Anderson of Omaha.

# Butte County Will Repeat Fair.

BELLE FOURCHE, S. D., Sept. 22 .- (Special.)-Through the efforts of the business men of this city Butte county had a successful fair last week, which was the first one ever held in the county. The exhibits of thoroughbred stock were excellent and there were a number of first-class horse races The cattlemen on the ranges were pleased at the signs of improvements that are being made in the blood of stock. Two games of ball were played between Spearfish and Belle Fourche teams, each team winning a game. The fair will become a yearly event.

## Say the Rain Was Expensive.

HURON, S. D., Sept. 22 .- (Special.)-Farmers throughout this part of the state report serious damage to grain in stack by the late heavy rains. In many instances from one-third to one-half of the grain is spoiled. Stacks are green with growing grain. Corn is being gathered and is a WEST POINT, Neb., Sept. 22.—(Special.) -The fail term of the district court is still in session, with a jury. About four to be cut. Frost has done no particular

customary for anyone to wish to remain in and negotiations are now pending with sev HURON, S. D., Sept. 22-(Special.)-The jail, but she expresses a desire to remain eral property owners for a suitable building present term of circuit court will be the where she is, giving as her reason that she with a ground floor entrance. The mem-

NOTTHERN

Judge A. W. Campbell will preside. For be released. twelve years Judge Campbell has been on the bench in this, the Fifth judicial cir-Haron College Opens. cuit. The Beadle county bar has tendered HURON, S. D., Sept. 22.-(Special.)-Judge Campbell a banquet at a hotel. Huron college opened with appropriate cer-

ter of ceremonies. "How We Laugh and Grow Fat" was the sentiment assigned to Hon. A. W. Burtt; "Early Practice in Jerauld County" was responded to by Hon. Thomas H. Null; "Lightning Rod Cases" was assigned to Hon. H. S. Mouser, and the faculty.

Wilkinson of the Methodist Episcopal of \$75. Although the robbers wore masks and Diarrhoea Remedy and in half an hour church delivered the address, a large gath- Dresp gave a fairly good description to the he was sleeping and soon recovered .- F. L ering of citizens being present. Two or officers. As a result Logen Ellem and James Wilkins, Shell Lake, Wis. Mr. Wilkins is three new professors have been added to Sharpenstein, both colored, are being held bookkeeper for the Shell Lake Lumber Co on suspicion. A number of other arrests | For sale by all druggists.

A LITTLE BOY CURED ast for this (Beadle) county over which has no home or friends to go to should she bership is constantly on the increase and Of Colle After a Physician's Treatit is expected that the winter classes will be unusually large. Alleged Holdup Yesterday Frank Dresp reported to the sent for the doctor and he injected mor police that while on his way home late Sat- phine, but the child kept getting worse.

# ment Had Failed. My boy when four years old was taken with colic and cramps in his stomach. I emonies and a larger enrollment of students urday night he was accosted by two men then gave him half a tenspoon-than at any previous term. Rev. H. S. at Twenty-fourth and R streets and robbed ful of Chamberlain's Collc. Cholera

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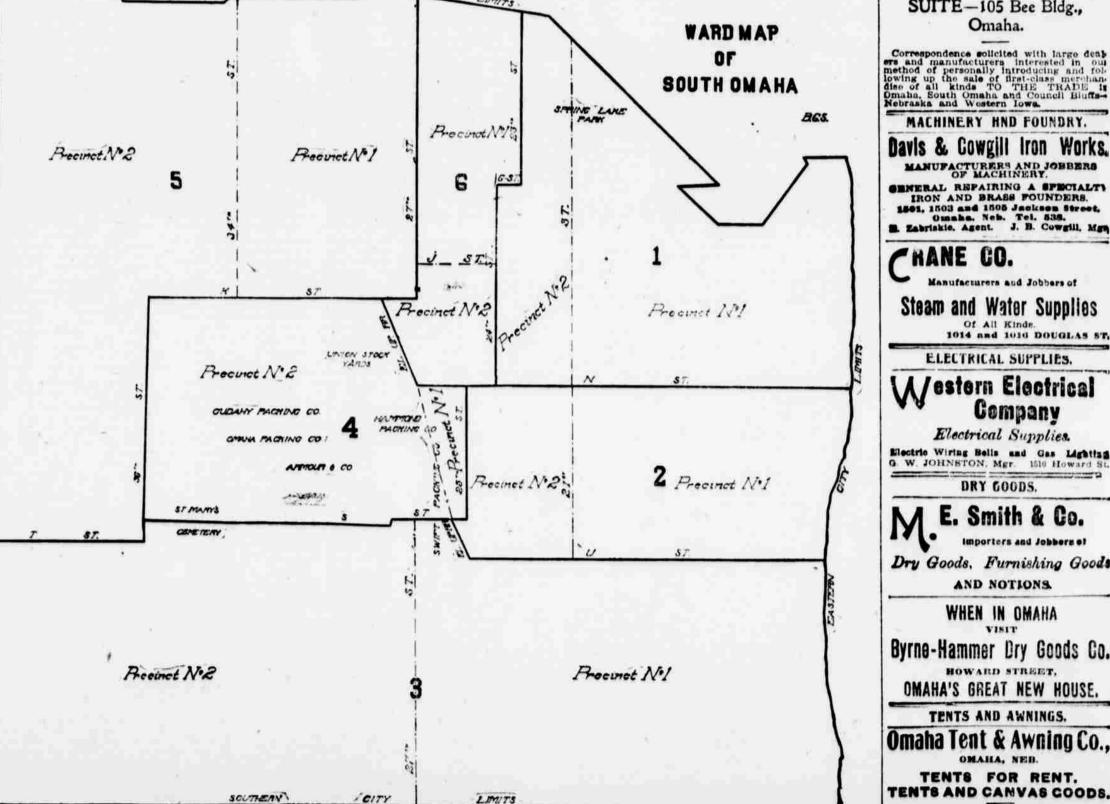
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