

Nebraska

WILSON GETS NEW TRIAL

Man Convicted of Murder Given Another Chance by Court.

JUDGE'S INSTRUCTIONS SCORED

Mark H. Coad Ordered to Pay Twenty Thousand Dollars Alimony to Valeria Allenbach-Cunningham Cleared.

(From a Staff Correspondent.)

LINCOLN, Oct. 22.—(Special.)—The death sentence of George Wilson of Brown county is reversed by the supreme court and the case remanded for a new trial. Wilson was convicted of first degree murder in the first degree. The person alleged to have been killed was Jacob Davis, Jr., and the crime was alleged to have been committed in Ainsworth. Davis was brutally murdered near his own door on the night of December 25, 1909. There was indication that he had been robbed. He was struck on the head with a brick, fractured and shot through the head. Davis was never restored to consciousness and died within a few hours after receiving his injuries.

The question of Wilson's connection with the crime was based on circumstantial evidence alone. The prosecution offered testimony to prove that the accused had deserted from the United States army a short time before the murder. The supreme court holds that it was error to allow this proof by the state. The prosecution presented evidence to show that the accused was a married man, that his wife resided in South Dakota and after coming to this state he endeavored to marry another woman. The prosecution caused the wife of the accused to come from South Dakota to take her place within the bar during the trial and procured a witness to point her out to the jury. This is held improper practice. The attorney for the defense urged the jury to the jury said: "If this jury find this defendant guilty and do not bring in a verdict recommending the death penalty, no member of this jury need come to me and apologize, or to apologize to any member of the audience." This is held by the supreme court such a gross violation of the rules of argument as to require the strongest censure.

Coad Must Pay the Alimony. Mark Coad must pay to Valeria Allenbach \$20,000, the judgment she secured against him in her suit for divorce and alimony. The supreme court overruled the motion to recall the mandate and reduce the amount of the alimony. This latest order, it is said, will settle the case and the money will have to be paid over to the plaintiff. The woman claimed to be the common law wife of Mark Coad and alleged the two lived together by agreement, as such she brought suit for divorce and alimony.

Critzer Gets Freedom. George Critzer, who was arrested on a charge of murder with one Heddendorf, has been ordered discharged by the supreme court. The defendants obtained separate trials and Heddendorf was sentenced to the penitentiary for life. This decision was reversed by the supreme court. Critzer was held in jail until after two terms of the district court had been held. His liberty was demanded by his attorneys and the motion was overruled by the district court. The attorneys for Critzer appealed to the court either to discharge the defendant or to give him a trial. This motion was overruled and the supreme court today reversed the district court and ordered the defendant discharged.

Pop Kinsley in Twenty-Ninth. George Kinsley, democratic nominee in the Twenty-ninth senatorial district, will not get his name on the populist ticket. The mandamus proceedings started by his attorneys against Secretary of State Junkin in the supreme court to force him to place the name of Kinsley on the ballot was continued indefinitely today. The court held there was no vacancy on the populist ticket because the party had failed to nominate a candidate, therefore the committee had no authority to nominate Kinsley.

Cunningham Escapes Payment. Jasper B. Cunningham, former county treasurer of Hamilton county, does not have to pay interest on county money for which suit was brought by the county. The supreme court held today as follows: "A county treasurer is not liable on his bond for interest which he has not collected and has been unable to collect upon the public funds in his care unless it appears that some act or neglect of his has prevented or hindered the collection of such interest."

Nebraska News Notes. SEWARD—Will Hoyt accidentally shot one of his toes off while fooling with a loaded gun. SEWARD—John E. Miller sold his quarter section of land near here to Herman Fiske for \$17,000. WEST POINT—Amanda Derr and Mrs. C. M. Collier are married at the bride's home by County Judge Dewald. KEARNEY—George Gion of Aurora won a truck from a pack from the county of Missouri, Mont. in two straight falls. WEST POINT—Henry Maller of Besmer has been sentenced by County Judge Dewald to thirty days imprisonment for wife beating. MADISON—Judge Rates today issued a writ of habeas corpus for Henry and Miss Martha Emma Lee, both of Norfolk.

Mannel on Dahlman. C. H. Mannel, chairman of the populist state committee, gives out the following interview concerning the present campaign in Nebraska: "I shall be glad to see the people. They will at once recognize that the democratic slogan of two years ago, 'No more democracy' was much in favor of the people but now different. They are afraid to give the people an opportunity to say what they desire along temperance lines for fear that personal liberty may be infringed."

What is Personal Liberty? To hear Mayor Dahlman you would get the idea that it means the privilege to drink as much or any old kind of stomach wash whenever or wherever you choose and at any time you choose without any restraint or hindrance. Why does he limit his personal liberty then? Why not extend it to the fullest extent? Most laws are founded on the law of commandments and they should not be seen in almost every line. In Dahlman's mind to trust the people to be in the line of temperance is to be running things and nothing over the land. Why does he limit his personal liberty then? Does he not know that it is in the line of temperance that the people are constantly being deceived by drink and who are slaves to their appetites.

In this fight we have the best elements of society arrayed against the worst. On one side is good citizenship, morality, the home and the most sacred ties. On the other side you find the lawless, the dishonest, the second class, the pathway of those to whom the law is a hindrance. There is no middle ground in this fight. Jones Dahlman represents democracy. No, does he represent republicanism? No, does he represent populism? Assuredly, not. What does he represent? He represents the saloons and all their iniquities. Populists are in favor of the people and the saloons are in favor of the people and the saloons are in favor of the people and the saloons are in favor of the people.

Nebraska State Library Association Convention

work with schools, work with factories. One session was given up largely to the subject of library legislation. The school library law as it now stands was discussed fully by F. S. Perdue of the office of state superintendent of public instruction. The number of trustees for a public library was discussed by Mrs. Howell of Alliance and the library by Miss Charlotte Templeton of the library commission. Judge C. B. Lottor, of the supreme court, gave a full account of the extension of the use of the library to the people of the county as it is done in other states, and showed to the members of the association the importance of sending to the people of the rural districts the books so much needed in their homes.

MISS GUESS HUMPHREY, Secretary-Treasurer. The sixteenth annual meeting of the Nebraska Library Association was held in Lincoln, October 19-21. The President, Miss Anna V. Jennings, librarian of the Kearney Normal school presided. The meetings were held in the lecture room of the Lincoln city library and at the state farm. The practical side of the program was given largely by members of the association and covered books on agriculture, reference books for a small library, book bindings, non-fiction collections for a small library, discipline of a college library reading room.

Dr. H. E. Legler, the librarian of the Chicago Public Library, gave an address on "What of the Rural Library?" Mr. Legler was formerly connected with the library commission of the state of Wisconsin, and some of the results of his experience there were given in this address. Mr. Legler emphasized the importance of placing in all rural districts desirable collections of books which should be well administered. An address was given by Miss Miriam Carey of the Minnesota Library Commission on "Libraries and State Institutions." She spoke fully of the method in operation in the state of Minnesota. No other state in the union gives this care to the libraries in state institutions. Miss Carey spoke particularly of the care which should be exercised in selecting books for these institutions, as books for one institution may be extremely unsuitable for another.

MISS CHARLOTTE TEMPLETON, State Library Commission. The Lincoln Library club entertained the members of the association at luncheon at the university farm. The officers for the ensuing year are Mr. F. L. Haller of Omaha, president; Charles Craig, University of Nebraska library, first vice president; Mrs. Pauline Francis, second vice president; Miss Gueess Humphrey of the public library commission, secretary and treasurer. A legislative committee was appointed to investigate necessary changes in the library law and school library law. This committee consisted of Mr. F. L. Haller of Omaha, Mr. George H. Thomas of Harvard and Miss Tobitt of Omaha. The place of meeting for next year was left with the executive committee. An interesting feature of the session was the presence of Miss Margaret O'Brien of Omaha, retiring second vice president, who was the only charter member of the association in attendance. The association was formed on October 16, 1896, and Miss O'Brien has been an active member of the organization continuously since then.

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has stood for good government for honesty, for integrity. They will not support any man for office who wears the corporation brand? You can answer this by ascertaining who is supporting him. Dahlman is known as a poor man yet he is spending money with a lavish hand, ordering the democratic committee like a hard time raising funds with which to carry on a campaign, but this year they are making a personal appeal to the rank and file of the party. Who is paying the freight? The breweries and allied corporate interests. Why do the corporations backing Dahlman? Because Mr. Aldrich has a record of sincerity. As a public servant he has always been found on the side of the people. The railroads and other corporations have felt the effects of his power. He is the author of the railway commission law, the freight rate law, employers' liability act and assisted in the passage of every measure for the benefit of the people that came before the senate of which he was a member. His anti-corporation record suits the populists and they will support him.

DR. PUTT OUT WITH AN APPEAL

Calls Attention to Things Needed at the Grand Army Home. GRAND ISLAND, Neb., Oct. 22.—(Special.)—Dr. W. E. Putt, physician and surgeon of the Soldiers' Home, is sending out an appeal to every Grand Army post in the state, and to every legislative candidate urging betterments at the Soldiers and Sailors' home. Dr. Putt appeals for, and in the interest of securing which, he urges the posts to beseech their candidates for the legislature are "an elevator, more sanitary conditions in the main building, a detention hospital for contagious diseases, a separate ward for other cases, a padded room for the insane, a new and enlarged laundry, larger dining rooms and hospitals and such steps as will make a flag station of the home or given some transportation facilities on the Burlington, which runs through the home grounds to the city."

Dr. Putt Does not Believe in the Extension of the Cottage System for the reason that many of the members are too old to be best taken care of by themselves.

Kearney Man Stricken. KEARNEY, Neb., Oct. 22.—(Special Telegram.)—Otto Brunsy, a prominent real estate man of this city, about 30 years old, was stricken with paralysis this afternoon and is unable to move or speak. He walked into his office in apparent good health, spoke cheerfully and fell to the floor unconscious.

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by Rev. Mr. Roth at St. Aloysius church. The newly married couple will reside on their own farm west of the city. NEBRASKA CITY—The funeral of Henry MacAuley, killed in a collision with the Missouri Pacific conveying Illinois Central railroad officials through this city Thursday morning, took place this afternoon. HEATRICP—Prof. W. H. Smith, science teacher in local schools, resigned his position here and will leave soon for Chicago, where he has secured a position in the department of animal husbandry in the university. HEATRICP—The Grand Army of the Republic and the Women's Corps held an open meeting yesterday, which was largely attended. A musical and literary program was rendered, after which a banquet was served. GENEVA—Richard L. Metcalfe and Rev. Dr. F. Roach of Lincoln spoke in the court room last night for the County Opium League of the Twenty-fourth senatorial district. The room was crowded with interested listeners. KEARNEY—Fire destroyed the store building of E. E. Buda and his wife, destroyed a dwelling near by belonging to John Fox. The household furniture of Mr. Fox was saved. The store building had just been emptied. HUMBOLDT—Thursday evening at the home of Mr. and Mrs. Ashford, Eddie, their only daughter, Miss Sarah, was married to Mr. John Brenner of Stella, formerly of the place, Rev. C. E. Ruch of the Methodist church officiated. SEWARD—Mrs. S. R. Douglas celebrated her 81st birthday this week. She is one of the oldest ladies in the city. National bank here and takes an active interest in all business affairs. She, with her husband, the late Stephen Douglas, owned the late Douglas business. IYONS—The Sioux City Boosters' club arrived in town yesterday from the south. Their brass band of march, from the depot to the business part of town and discoursed pleasing music as it went through the principal streets of the town. MADISON—Attorney J. C. Engelman has begun, before the grand jury, to prosecute the release of M. J. Higgins from the custody of the sheriff, he being arrested yesterday by Chief of Police Murray of Norfolk on information received by wire from Dallas, S. D.

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Nebraska

TELLS HOW TO PREVENT FIRE

State Commissioner Writes Letter to Householders of State.

PROPER INSPECTION OF ALL FLUES

Declares that More Losses Take Place from Carelessness in Construction and Inspection Than Any Other Cause.

(From a Staff Correspondent.)

LINCOLN, Oct. 22.—(Special.)—Fire Commissioner A. V. Johnson has issued the following suggestion to property owners: Each household should inspect and repair his heating apparatus now before severe weather demands hot fires. This is of grave importance. Fires in summer from defective flues than any other cause. The word "flue" is used to indicate the avenue of escape of the gases from combustion from heaters to the outside air, so it covers both stovepipe and chimney. A stovepipe should not pass where it cannot be seen, as through a lath and plaster partition, or through an attic or unused room, because openings in it may occur from rust or the parting of a seam or joint. And, too, in such situation the fire may escape into the room. Then it is liable to ignite; neither should a pipe pass through roof, window or siding—even if a stovepipe can escape. Stovepipes should be inspected section by section for consideration by the fire department. If outwardly they appear to be in good shape, a stovepipe gives out much more heat than four or five times as much as it should.

Pipe Must Be Spark-Tight. An elbow in a stovepipe lessens the liability of particles of kindling or fuel being drawn in, and the word "flue" is used to indicate the avenue of escape of the gases from combustion from heaters to the outside air, so it covers both stovepipe and chimney. A stovepipe should not pass where it cannot be seen, as through a lath and plaster partition, or through an attic or unused room, because openings in it may occur from rust or the parting of a seam or joint. And, too, in such situation the fire may escape into the room. Then it is liable to ignite; neither should a pipe pass through roof, window or siding—even if a stovepipe can escape. Stovepipes should be inspected section by section for consideration by the fire department. If outwardly they appear to be in good shape, a stovepipe gives out much more heat than four or five times as much as it should.

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