

Items of Interest Taken From Here and There Over the State.

Six men are willing to serve Merrick county in the capacity of sheriff.

By vote, Sutton defeated the proposition to extend the water works system.

A forger operated at Beatrice, mulcting business men to the extent of about \$50.

Threshing now going on in Hamilton county shows a wheat yield of from 25 to 35 bushels.

At Fullerton Harry Campbell got caught in the belting of the roller mill and had his arm badly crushed.

A. J. McDoald, a pioneer citizen of Weeping Water, 65 years old, while painting the roof of a building, lost his balance and fell a distance of ten feet. His injuries will probably prove fatal.

News reached Auburn of the death of Alberta Reding, wife of Thomas Reding, a farmer living six miles north, from the effects of headache powders that she had taken to get relief.

According to the annual report of County Superintendent King, there are twenty-two male and 143 female teachers in Otoe county. There was paid to male teachers last year \$13,025 and females \$82,195.25.

General Manager Sturges of the Omaha Corn show has gone west in the interest of the coming exhibit, which is expected to be far ahead of last year.

The Fremont police found Mrs. James Bland and her infant daughter in the union passenger station, and Mrs. Bland explained that she had been there for two days without food. She said her husband had deserted her.

At Central City a young man who refused to give his name pleaded guilty before Judge Peterson to having stolen ninety-six bottles of beer from a Union Pacific car and was sentenced to ten days in the county jail.

Dennis Lyhenne died at his home southwest of Sutton from the effects of injuries suffered in a runaway which occurred a little over a week ago. Mr. Lyhenne at the time of his death was sixty-seven years old. He leaves a wife, three daughters and five sons.

S. N. Deats, a Missouri Pacific brakeman on a local freight train running between Auburn and Omaha was ground to pieces at Talmage. He was switching cars and in some way fell in front of the cars and before the train could be stopped his body was cut to pieces.

The Nebraska Bankers' association will meet in Omaha and the convention will be held September 8 and 9. Secretary W. B. Hughes is now working out the details of the meeting which includes speakers and a place of meeting and entertainment for the bankers while in the state's metropolis.

Three sales of public land were made at the United States land office in Lincoln last week. One, a tract of forty acres in Chase county, brought \$12.5 an acre. A tract of eighty-two acres in Dundy county sold for \$3.60 per acre, and 360 acres in Chase county sold for \$1.25 per acre. All of the land sold was grazing land.

John Head of North Bend was probably fatally injured and Fred Dunker had a narrow escape from death, when a bridge between North Bend and Pleasant Valley which the two men attempted to cross with a threshing outfit gave way, precipitating the engine with the men on board into the creek.

D. C. Propper of Nebraska City, a contractor, met with a peculiar accident while doing some work about a building which he was repairing. He had occasion to take off a door, and not thinking it was held very fast, he tried to wrench it off. The door gave way partially, some of the nails pulling heads through the lumber. The door sprung back into place, and one of the nails, head-on, was driven through the nail of one of his fingers, and Mr. Propper was held fast for some time, until his cries for help brought assistance. The wound is a serious one and may cause him to lose his finger.

C. E. Rosenberger, a large land holder south of Homingford in the vicinity of what was Nonpareil before the advent of the railroad, has sued persons from Colorado for the recovery of notes aggregating \$26,000, secured by six of the finest quarter sections in Box Butte county, worth \$25 per acre.

If the plans of the committee appointed to propose them are adopted by the Liederkrantz society, Grand island will another year have a fine auditorium, seating nearly 3,000 people. The society has an entire block of real estate free from all indebtedness and centrally located only one-half of which it is occupying with its own exclusive hall.

John P. Michelson, a wholesale liquor dealer of Nebraska City, was over it a few days since in his auto. Some farmers set two dogs on him as he passed in his machine and as the road was rough and he had to travel slow one of the dogs grabbed the front wheel and ditched the machine. Mr. Michelson shot the dog, after righting his machine, and a warrant has been issued for his arrest at Shenandoah.

Three well-dressed men, riding in an auto for which they were paying \$20 per day to take them around to see the farmers, attempted to contract wheat from 90 cents to \$1 per bushel for future delivery.

Andrew Meyer, arrested in Lyons a few days ago for wife beating, and jailed in Tekamah, committed suicide in prison by hanging himself with straps from his suit case. His wife had taken the suit case to him the day before. When he pleaded for aid to be released she told him he was safer in jail, as sentiment was very strong against him.

Some time Thursday afternoon, while the family was at Fremont attending the circus, Chris Kreisal of Cedar Bluffs killed himself with a No. 10 shotgun in his room at the home of Hans Pageier, four miles west and south of Cedar Bluffs. No reason is known for the act.

E. D. Gould of Kearney has sold five of his elevators located along the Burlington lines to the T. B. Ford (Grain) company. The elevators are at Wolbach, Cushing, Bratton, Greeley and Horace. Mr. Gould's object in disposing of them is to concentrate his interests around Kearney.

THE STORY of JONATHAN MILLER

AUTHOR'S NOTE. The material facts in this story of circumstantial evidence are drawn from an actual recorded case, only such change of names and local color being made as to remove them from the classification of legal reports to that of fiction. All the essential points of evidence, however, are retained.

As the members of the Call Skin club dropped into their accustomed places Judge Dennett entered with a stranger of distinguished mien, and dignified bearing. His white hair and white mutton-chop whiskers betokened the country jurist of long experience whose reverence for the English bench caused him unwittingly to assume the personal appearance of a wearer of the wig and ermine of Blackstonian days.

His guest was primed with many a reminiscence of his long career and would gladly furnish the story of the evening. After the pipes of good fellowship had been burned for a space Judge Tanner arose and began his story of circumstantial evidence.

"I often wonder," he said, "if there is a trial judge of any considerable experience who has not carried some one case as a load on his mind and conscience for years after the verdict of the jury is in and the condemned led away to execution. It is a wise provision of the law that makes the jury the judge both of the law and the evidence, and the judge but the medium through which the law reaches the twelve; and I cannot conceive the condition of mind of those early English judges, before whom, when they had arrived at a conviction of guilt, even the jury was powerless. It was from their arbitrary and unreasonable rulings, now happily not held within the power of the judge, that most of our records of miscarried justice have resulted.

"Within my own experience there has come one case which I believe is as strange as any of record and which for years, as I looked back upon it, caused me to doubt the ability of man ever infallibly to pass judgment upon a fellow creature. The parties now are all dead and I tell it for the first time. But to the story.

"In a little city on the circuit in which I have held court for more years than I care to think of there was at one time a hotel kept by a very respectable man named Jonathan Miller. It was the favorite stopping place for commercial travellers and thus the most prominent and best paying hotel in the city.

"One evening a jewelry salesman by the name of Robert Conway arrived at the hotel just before supper. He instructed Miller to send his grips up to his room and remarked in the hearing of several at the desk that he did not care to have them left in the general baggage room as he was carrying a far more expensive line of samples than usual. He also asked that the door be carefully locked and the key brought to him.

"Supper over, he fell in with a salesman for a shoe house and one for a clothing firm and they repaired to the bar where they played cards and drank until 11 o'clock, when they all retired. It happened that the hotel was well filled and the clothing man and the shoe man had been forced to take a double room together. This room was directly across the hall from the one occupied by the jewelry salesman.

"About two o'clock in the morning the two roommates were awakened by groans which seemed to come from the room of their companion of the evening across the hall.

"They arose and without stopping to dress hurried out to see what the trouble was. You can imagine their horror to find Conway, the jewelry man, dead, the bed blood-soaked, and standing over him, a dark lantern in one hand and a bloody knife in the other, Jonathan Miller, the landlord, who trembled violently and gasped incoherently when they burst into the chamber of death.

"The case seemed black enough against him. There was not a suspicion in the mind of anyone in the city that he could be otherwise than guilty. Yet when taken before a justice for a preliminary hearing he most stoutly maintained his innocence and told a story which had it not gelled into improbability by the side of damning circumstances against him would have been plausible in the extreme.

"He said he had just reached his room after, as was his custom, sitting up until a train due at half past one, came in. He had not had time to remove his clothing when he, too, heard groans coming from the neighborhood of Conway's room. Like the two salesmen, he had hurried to investigate, and as a weapon of defense he had taken the knife. He also picked up the dark lantern which he always used in making his last rounds of the hotel and which was still lighted.

"When he reached the Jeweler's door he was surprised to find it standing open. The groans had ceased.



and he entered, and going up to the bed, flashed his light upon the bloody spectacle of the murdered man's body. So great was his horror and surprise that he dropped the knife upon the bloody sheets, and had only just picked it up again when the two traveling men entered.

"His trembling and fear at their arrival he attributed to the natural horror of the situation and the terror of the instant thought that guilt might point to him.

"With such a degree of sincerity was his story told, and so firm was the landlord's bearing before the preliminary court that he attracted many sympathizers who believed his story and looked upon him as the unfortunate victim of a most peculiar combination of circumstances.

"But these circumstances were too patent to be ignored and Miller was bound over to await the action of the grand jury, indicted and in due course of time brought to trial before me.

"In the time intervening between his arrest and his trial the landlord's attitude was a mixture of terror and bravado which did not tend to increase the belief of the general public in his innocence. I myself, although I have always endeavored to enter a trial free from prejudice, had been a veni-moran, should have been forced to admit that I had formed an opinion concerning the guilt or innocence of the accused.

"The state naturally rested upon the testimony of the two salesmen who swore to the events of the fatal evening and to entering the room just in time to find the landlord bending over the body. They were both firm in the conclusion that their terror upon seeing the murder of the defendant's counsel should not have allowed this portion of their testimony to go to the jury, but no objection was made to it.

"Also further damaging evidence against him was produced to the effect that he had a short time before become liable through indorsing a note for a large sum of money and that his ownership of the hotel was threatened in case he was not able to raise the amount. This seemed to furnish a powerful motive for the crime. That he had always borne a good reputation, that his record for honesty was such that he might easily have raised the sum of money he required on a loan, and his own story of going to Conway's room and finding the body were all that the unfortunate landlord had to offer in his own defense.

"There could have been but one conclusion as to what the verdict of the jury would be, although I am sure that I gave them the law without partiality. Miller took his sentence with resignation and when I asked him if he had anything to say, he arose and addressed the court as follows:

"Your honor, it comes to every man once to die. For the sake of my dear wife who stood by me so nobly through this terrible ordeal I should have chosen for myself a different end from that which is to be my lot. I have no fault to find with the view of the jury and this court have taken of their duty, but you are making a terrible mistake. You have convicted an innocent man. I am not guilty of the death of Robert Conway. I had nothing whatever to do with his death. Some day the truth will come out, but I fear it will be long after I have done with this world. I have no more to say but that I am innocent, and this I will declare to the end."

"How many men when facing death on the gallows have said the same. I wonder how many men have said it truly. It is true, as Pope says, that hope springs eternal in the human breast, but I often wonder if we do not make a grievous error in not giving greater credence to the dying statement of a condemned man.

"Jonathan Miller paid the penalty of the death of Robert Conway with the same stoical resignation which had marked the end of many a man in the same extremity. With his death the case seemed at an end and it passed from my mind along with many other cases which have arisen in a long and busy career. I probably never again would have recalled it except incidentally had it not been for a strange occurrence.

"I was just retiring for the night one evening about two years after the execution of Miller when I was startled by the sound of a horse-dashing madly up to my gate. There was a loud rapping on the door and upon opening it the panting horseman cried:

"Buck Everett's just been shot down in Kiley's saloon. He's dying and wants to see you right away. Says he's got an important confession to make."

"I hurried out, and mounting the messenger's horse, spurred full speed for Kiley's place, which was a respectable roadhouse about a mile distant. On the way I tried to recall who Buck Everett might be, and at last remembered him as the porter in Miller's hotel at the time of the Conway murder. When I arrived at the place he was almost gone, but with the aid of a stiff drink of whiskey he revived sufficiently to make the following confession:

"I'm a goner, judge, but before I cash in I've got to get something off my mind. It's Conway, I've seen him day and night. My God, judge, there he is now pointing his bony finger at me! Take him away. For God's sake take him away. He gasped in terror and the froth upon his pallid lips was bloody. We thought he was going before his weighty secret was told.

"Come, Buck, have it out and you'll rest easier," I said as I held his head.

"Yes, judge, I've got to tell it," he whispered. "It was me that killed Conway. Miller never done it. The thing took hold on me when I took his grips upstairs and he said they were full of jewelry. I slipped in and knifed him as he slept and got what there was in his pockets. I was just turnin' to the grips when I heard the landlord comin' down the hall. I slipped out and got past him, and

chamber I turned these questions over my mind, never finding an answer that was satisfactory to my conscience. I seriously considered resigning from the bench. My faith in man's justice had received a crushing blow. For five years I carried that weight of self-accusing guilt, and only the sympathy of my friends and the loyalty and trust of my townsmen sustained me.

"One night I was seated in the study of Rev. Charles Pindexter, the rector of the Episcopal church. Before a cheery grate fire we talked into the night and to him I unburdened my soul.

"My heavens, judge," he said to me, laying his hand on my shoulder. "Why haven't you told me all this before? I might have saved you these years of troubling. Never before have I disclosed that which has been imparted to me in the confessional, but in this case I believe my duty to the dead is outweighed by my duty to the living. When you sentenced Jonathan Miller you condemned a guilty man. You remember that I attended him as a spiritual adviser in his last hours. To me alone he told the true story of that fatal night. He was guilty of Conway's death although his hand did not strike the blow. He went to Conway's room with the intent to murder him and rob him of his wealth. It was for that fell purpose that he took the knife and lantern. When he reached the room he found the deed already done, and even as the two traveling men entered the room he was meditating upon how he might secure the contents of the satchels and hide them. Let your mind rest, judge; his hand was as guilty as the hand that struck the blow!"

"Thus was the weight of years lifted from my mind, and this, gentlemen, is my story."

Amid the congratulations and thanks of the members of the Call Skin club Judge Grover from the chair announced that Judge Sturges had a story for the next meeting.

America's Famous Song. The author of "The Star-Spangled Banner" was Francis Scott Key, who lives in American history as one of its notable figures. The inspiration for the song came from the bombardment of Fort M'Henry, near Baltimore, by the British fleet.

Key had been taken prisoner and witnessed the bombardment from one of the British men-of-war on which he was detained. As the battle progressed the American patriot caught fleeting glimpses of the Stars

and Stripes waving defiance at the British guns from the tall staff on the parapet of the fort.

This suggested the song to Key, and almost before the guns had been silenced he had written some of the inspiring lines which later were completed.

Of Course They Are. "Sho is a fine thing." "So is marriage. Sometimes I wonder if either is worth the trouble."—Louisville Courier-Journal.

RELICS OF EMPRESS

Objects Associated with Josephine in New French Museum.

Malmaison, Home Purchased by Napoleon for His Beautiful Wife. Thrown Open to Public by the Government.

Paris.—Josephine, who was the star of Napoleon's destiny, has at last a monument that all who go to Paris may visit.

It is Josephine's museum, erected by the French government in the country house associated with the joys and struggles of her life before she met the conqueror; with her few married years of splendor and love; and with the sorrows of her divorce and lonely death. It is Malmaison.

The museum is made up of a thousand familiar objects which surrounded her; and on June 1 opened the loan exhibition of things not yet gathered permanently together.

There is the harp that Josephine never learned to play—type of the broken music of her life; the silver gilt dinner service offered her by the city of Paris; her bed, her bath, her toilet table, her beauty utensils.

There are 500 samples of damask, satin and tapestry furniture covers which Napoleon had brought to select from in imperial housekeeping. It is raw material of the imperial stage-setting never before exhibited. It shows Napoleon and Josephine as palace furnishers and makers of the empire style.

Every school girl in America knows the story of Josephine; but how her destiny was bound up in this country house of the old regime is new history from documents and letters. Out the avenue of the Champs Elysees, beyond the Arc de Triomphe and the river, runs the ancient royal road to St. Germain. Six miles from Paris is Croissy village. Almost at its edge begin the wooded grounds of Malmaison.

From Croissy village, in the days before Napoleon, a young mother took her two small children for their airing to the shade of empty Malmaison. The place was uninhabited. The young mother was glad. There was

no one to warn her off. She read her book while the kids played. She had \$1,000 a year income, in her legal separation from a fliriting old husband who had not appreciated her. She was at peace. It never came into her head to wish Malmaison hers.

Yet it was Josephine. She had been married to de Beauharnais at Croissy church when but an awkward girl. She had fled to Croissy when she found herself alone again.

When she met Napoleon it was love at first sight. In a few months they were married. On his return from Italy, Josephine knew how great a man she had. He was looking for a country place to buy. "What kind?" she asked. "A chateau," said Napoleon. Stately Malmaison flashed across her mind. "I know a place," said Josephine. "Malmaison, close to Croissy!"

"Malmaison will be our home," he said. The nation had put St. Cloud and Fontainebleau at his disposition. He preferred Malmaison. "It is our own place," he said to Josephine.

France is a saving old land. Through revolutions of the utmost violence, the French civil service departments, treasuring all things confided to them, kept the raw material of that stage setting.

Josephine reigned over the "home," an English word to which Napoleon had taken a sentimental fancy. She covered the park with flower beds, planted fancy trees, built hothouses and stocked the wood with thousands of gay-birds that come flying in clouds to eat from silver-gilt trays perched on acacia poles.

These were the happy days of Josephine. Only too soon, she was to live alone again. After her divorce—declared a state necessity—the senatus-consulto maintained her in the rank of a crowned empress, attributed 2,000,000 francs a year to her, with the chateaux of Narvarre and Malmaison. To Malmaison she retired, to be near to Napoleon—although she should never see him.

Again Malmaison became a silent park. As suddenly as it had bloomed into imperial activity, it faded to its former quiet. Again a mother walked with her two children in its shade—the children Eugene and Hortense, now grown up.

Going through the grounds on a cold, damp day with Czar Alexander, Josephine took a chill—and died in the great silk-bung bed, now a part of the museum exhibits.

After his return from Elba, Napoleon revisited Malmaison. In spite of the giant work of gathering his armies together once again, he spent two days in dreaming over the chateau and gardens.

International Manners. A German lady, we perceive, has started a school wherein the art of eating is taught. Not the art of acquiring food, but the art of dealing with it when it is on the table. An international school of table manners would do as much as The Hague conference to reconcile animosities. There is really nothing, for example, in which we could not agree with the American if he would only come over to the British notion of eating an egg. Possibly the Rhodes scholars will think the matter out at Oxford.—Westminster Gazette.

A SURE SIGN.

When It Appears Act at Once.

Trouble with the kidney secretions is a certain sign that your kidneys are deranged and that you should use Doan's Kidney Pills. They cure all irregularities and annoyances, remove backache and side pains and restore the kidneys to health.

Charles Cole, 204 N. Buckeye St., Iowa, Kansas, says: "The kidney secretions were irregular, scanty and painful and contained sediment. My back was stiff and lame and my limbs ached. I grew weak and discouraged. Doan's Kidney Pills removed these troubles entirely. I have been well for two years."

Remember the name—Doan's. Sold by all dealers. 50 cents a box. Foster-Milburn Co., Buffalo, N. Y.

A LONG WAY BACK.

George—There's Miss Passay. She claims she's never been kissed. Harry—Why, I've kissed her myself, years ago. She means not since she can remember.

And the Old Man Grinned. "Duke," said the heiress, eagerly. "did you see father?" "Yes." "Well?" "We talked about the weather."

"What? Lose your nerve again? Why don't you brace up and talk like a man?—a subject of a king on whose domain the sun never sets!" "Can't," moaned the duke. "All the time I was in your father's office he kept grinning at a big painting."

"What painting?" "The battle of Bunker Hill."

Crop Growing on Small Scale. A small holder in East Lezham is making an interesting experiment in barley growing upon his land to test the possibility of raising corn on a small scale. In 1907 he sowed 75 specially selected grains of barley, which yielded 400 ears. The resulting kernels he sowed in 1908 and harvested in 14 weeks, with the result that he got a bushel of threshed barley, which he has sown this year, his object being to show what can be done in cereal cultivation from very small beginnings.—London Standard.

But Not In. Evelyn—I saw you in bathing this morning, George. It's funny you didn't see me. George—I didn't expect to. Evelyn—I was sure you saw me at one time. I was standing close by you on the beach. George—Oh, yes. I saw you in your bathing suit.

Mother's Day in England. Provincial England is smiling in a supercilious way at America's belated discovery that the country ought to celebrate mother's day. In the villages of Cornwall, Devonshire and Lancashire mother's day has been a recognized institution for generations. It is celebrated on mid-Lent Sunday.

A Hot Prescription. "I want you to prescribe for me, doctor," said the sallow-complexioned man. "I have cold feet; what would you suggest?" "A ton of coal, promptly repiled the witty physician. "Five dollars, please."

Not Her Fault. "It is the duty of every man and woman to be married at the age of 22," said the lecturer. "Well," said a woman of 30, with some asperity, "you needn't tell me that. Talk to the man."

THE NEW WOMAN Made Over by Quitting Coffee. Coffee probably wrecks a greater percentage of Southerners than of Northern people for Southerners use it more freely.

The work it does is distressing enough in some instances; as an illustration, a woman of Richmond, Va., writes:

"I was a coffee drinker for years and for about six years my health was completely shattered. I suffered fearfully with headache and nervousness, also palpitation of the heart and loss of appetite.

"My sight gradually began to fail and finally I lost the sight of one eye altogether. The eye was operated upon and the sight partially restored, then I became totally blind in the other eye.

"My doctor used to urge me to give up coffee, but I was willful and continued to drink it until finally in a case of severe illness the doctor insisted that I must give up the coffee, so I began using Postum, and in a month I felt like a new creature.

"I steadily gained in health and strength. About a month ago I began using Grape-Nuts food and the effect has been wonderful. I really feel like a new woman and have gained about 25 pounds.

"I am quite an elderly lady and two days in using Postum and Grape-nuts I could not walk a square without exceeding fatigue, now I walk ten or twelve without feeling it. Formerly in reading I could remember but little but now my memory holds fast what I read.

Several friends who have seen the remarkable effects of Postum and Grape-Nuts on me have urged that I give the facts to the public for the sake of suffering humanity, so, although I dislike publicity, you can publish this letter if you like." Read "The Road to Wellville," in plgs. "There's a Reason."

Used His Victim's Care

"It's a good rule never to give your card to a beggar who promises to return your loan of 50 cents or one dollar," remarked a New York clergyman the other day. "Not long ago," he continued, "a man in clerical clothes called on me, presented the card of a minister out on Long Island, and borrowed enough money to get home on. He asked for my card, promising to return the amount promptly, and that

was the last I heard of him until I learned that he had been arrested in a near-by town for swindling. As my card was the only one found on him, he was docketed in my name. I discovered in the newspapers that I was behind the bars without knowing it."

Did a man ever ask you to go on a fishing trip with him but what he asked you if you could row?