

The Valentine Democrat

VALENTINE, NEB.

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STANDARD OIL WINS

KANSAS REFINERY KILLED BY SUPREME COURT.

Measure Passed by Kansas Legislature Appropriating \$110,000 for a State Refinery is Held to be Unconstitutional—Other News.

A Topeka, Kan., special announces that the law passed by the legislature last winter appropriating \$110,000 to build an independent oil refinery at Peru was Friday declared unconstitutional by the state supreme court.

The oil refinery law was considered one of the most direct blows struck at the Standard Oil Company by the last legislature.

The court holds that the construction of the refinery and the branch penitentiary in connection with it is in violation of the state constitution, and declares: "The state shall never be a party in carrying on any works of internal improvement." The construction and operation of such refinery, it is said, would be a work of internal improvement.

The court by inference criticizes Gov. Hoch for using a scarecrow to frighten the oil trust, so-called, and then for informing the trust that the thing he has set up is a scarecrow.

"The indictment of the Standard Oil Company," says the court, "is no doubt true and the prosecution was very great, but we must not make a scarecrow of the law."

The oil refinery law provided for the erection at Peru also a branch penitentiary to house sufficient prisoners, who, it was intended, were to work the plant. State Treasurer T. K. Kelly, Warden E. B. Jewett, whose duty it was to issue the bonds, declined to sign them in order to first secure a decision on the constitutionality of the act. Attorney General C. C. Coleman filed mandamus proceedings in the state supreme court on behalf of the state to compel these officers to sign the bonds. The opinion Friday, declaring the act to be illegal and unconstitutional, was concurred in by all members of the supreme court.

TRIES TO CHEAT GALLOWS.

Kentucky Dual Murderer Attempts Suicide, but Fails.

During Thursday night, Robert Mathley, who was hanged in jail at sunrise Friday at Owensboro, Ky., made an unsuccessful attempt to cheat the gallows. He tore open the veins in his arms and nearly bled to death before the death watch discovered his attempt at suicide.

Mathley, who was a contractor, killed William Watkins and James Gregson, in a jealous rage, June, 1904. On the scaffold he said a woman swore his life away.

ALIVE UNDER SEA.

Submarine Boat Crew Has Not Yet Perished.

A Paris dispatch says: The ministry of marine Friday received a dispatch from Zizerta, Tunis, saying the submarine boat Farfadet, which sank Thursday, is still lying at the bottom of the harbor and that her imprisoned crew, numbering thirteen men, continued to respond Friday morning to the signals of the divers.

The rescue party has been unable to move the boat, as her bow is deeply imbedded in the mud.

TERRIBLE DYNAMITE SHELL.

That a 12-inch shell, loaded with only a small charge of dynamite, the world's most effective explosive, will crumple in the side of the heaviest armor-clad vessel, though the shell fall short of its mark by twenty feet, was demonstrated Friday by tests at the government proving grounds at Sandy Hook.

Drowned His Own Boy.

John Wicher, aged 22, was Friday arrested at Chicago charged with drowning his 6-month-old boy in the Chicago River. Anna Wicher, the child's mother, said Wicher left her after a quarrel, saying, "I'll take care of this kid." She said Wicher objected to supporting the child.

Carnegie Gives Another Library.

Gen. O. O. Howard, who for the last fifteen years has been engaged in promoting the finances of the Lincoln Memorial University at Cumberland Gap, Tenn., received information Friday that Andrew Carnegie has given \$200,000 to build a library for the institution.

Trust Absorbs Big Tannery.

At Titusville, Pa., the Queen City tannery, the largest sole leather manufacturers in the world, was sold by Lucius Beebe & Sons, of Boston, to the United States Leather Company. The transfer involves about \$1,500,000.

Sioux City Stock Market.

Friday's quotations on the Sioux City stock market follow: Butcher steers, \$4.35@5.25. Top rogs, \$5.27 1/2.

Ex-Senator Sanders Dead.

Ex-United States Senator W. F. Sanders died at Helena, Mont., Friday.

Receiver for Devlin Estate.

At Topeka, Kan., Friday, Cyrus Leand and J. E. Hurley, general manager of the Santa Fe Railway, were appointed temporary receivers of the properties of C. J. Devlin. A bond of \$250,000 was required.

Object to Bibles in Public Schools.

The reading of the bible in the public schools was denounced in the committee on sectarianism of the central conference of American rabbis, which closed at Cleveland, O., Friday.

JUMPED THE TRACK.

Disastrous Wreck on the Great Northern in North Dakota.

About thirty people were injured, one seriously, in the wreck of the Great Northern westbound flyer at Spring Brook, twenty-one miles east of Williston, N. D.

Seven cars were burned by a fire which broke out immediately after the wreck, presumably caused by the explosion of a gas tank under the smoking car. The mail car and the special car Joliet, containing Dr. Frank Billings, of Chicago, and a party of physicians en route to Portland, did not leave the rails, and was unharmed by the flames.

The officials of the road at St. Paul say that it was a miracle that numbers were not killed, as the train was running at a high rate of speed when it left the rails. According to their report there was no spreading of the rails, and they are unable to account for the accident. As the cars left the track they partially up-ended, but did not break in two.

Most of those injured suffered from burns, the flames spreading so rapidly that many were scorched before they could be removed from the wreckage. Dr. Billings and the physicians in his party at once took charge of the injured and dressed their wounds pending the arrival of a relief train from Williston.

All of the injured were able to resume their journey except C. H. Stryker, who is reported to be in a serious condition. Stryker was in the baggage car en route from St. Paul to Boise, Idaho, and was badly cut and bruised. All mail and baggage was saved.

Among the seriously injured are Mrs. Mary C. Lewis, Danville, Ia., and C. H. Stryker, Boise City, Idaho; critical.

FIGHT FOR EIGHT-HOUR DAY

San Francisco Printers Locked Out by Employers.

Two hundred printers and 100 pressmen, it is said were locked out Thursday by employers in the conflict between the typographic and the union over the question as to whether the men shall work eight or nine hours a day, at San Francisco. At the union headquarters the announcement was made that not a single desertion had been made from the ranks of the men who are insisting upon the eight hour proposition. Non-union men in a number of places refused to return to work under the nine-hour day.

The Bulletin declares that four-fifths of the printing houses will live up to the old schedule and are now working under the eight-hour rule.

KOCH IS ON TRIAL.

Arraigned for Third Time for Gebhardt Murder.

The third trial of Dr. George R. Koch, a New Uhm dentist, for the murder of Dr. Louis A. Gebhardt, of New Uhm, a rival practitioner, on Nov. 1, 1904, began Thursday at Mankato, Minn., Judge Loren Gray presiding. The defendant was in court, surrounded by relatives, looking well and feeling confident of acquittal.

Juror No. 1 was secured in the person of William Schaefer, a farmer, of Linnetown.

The regular panel of thirty jurors was exhausted and a special venire of seventy-five was ordered.

LYNCHING IN ARKANSAS.

Citizens Prevent Marriage of Negro to White Girl.

A special from Dumas, Ark., says: A negro named Joe Woodman, of Rives, Ark., was lynched here early Thursday after having eloped with the daughter of J. S. Small, a white man. The elopement occurred Wednesday and Sheriff James Gould, of Pine Bluff, caught the couple at Tamo on board a train. The girl was returned to her parents, and the negro was placed in jail here.

All was quiet during the night, but Thursday the jail was found broken open and the negro's body dangled from a tree a mile distant.

ROOT IS PREMIER.

Former Secretary of War Re-enters Cabinet.

A New York dispatch says it can be definitely stated President Roosevelt has offered the position of secretary of state to Elihu Root, and that Root has accepted.

While no official confirmation is obtainable at Oyster Bay of the announcement that Elihu Root has accepted Roosevelt's proffer of the secretaryship of state, it can be said that the president will authorize a statement to be made regarding the matter.

China Well Pleasued.

The final indemnity agreement was signed at Peking, China, Monday, the Russo-Chinese bank difficulty being removed. China will therefore liquidate on the basis originally proposed. The affair is regarded as satisfactorily settled at least for the present, and is considered excellent for China.

Japs Make Big Loan.

The negotiations for a Japanese loan of \$150,000,000, with the tobacco monopoly as security, were practically completed Thursday morning at London, and the terms were signed immediately.

Lost in a Submarine Boat.

A French submarine boat, with a crew of thirteen on board, foundered at Erryville, Tunis, Thursday.

The Leanders Won Race.

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Millionaire Ends Life.

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TORNADO IN TEXAS.

Reports of Forty Lives Lost in a Furious Twister.

According to a Fort Worth, Tex., dispatch, a tornado which struck Texas in the upper edge of Montague County, coming from the northeast and swinging far to the southeast, Wednesday afternoon, caused the loss, it is believed, of forty lives, injured a large number of people and did untold damage to growing crops and cattle.

Fortunately the tornado missed the small towns in the section through which it swept, but it zigzagged in such a way as to take in the homes of many farmers and stock raisers in the section.

At Jacksboro the force of the wind was terrific. The Baptist church and twenty other buildings were blown off their foundations and a number of buildings were totally destroyed.

Mrs. Travis Calhoun was seriously injured. Travis Calhoun, Mrs. Thomas Horton and Henry Wesser and family were also injured. At Montague no lives were lost in the town, but in the country there was great loss of life reported.

The wires are down in all directions and it is difficult to get particulars. Ten persons are known to be dead in the neighborhood and unconfirmed reports are to the effect that the list will go as high as forty. Most of those killed lived on Salt Creek, along which the tornado swept with special force.

At Nocona the tornado passed a few miles to the south and latest lists give the dead at fourteen and the injured at forty-one.

A reliable man at Nocona, who has been over the scene, says that reports were being received of the dead when he left and he places the loss of life at sixty. Owing to the widely separated homes and the fact that in many instances whole families were wiped out, details and names are hard to get.

CONFESSES AWFUL CRIME.

Pennsylvania Man Killed One Son and Tried to Murder Another.

After being subjected to a severe examination by detectives, Gustave A. Gosson, of Morrisville, Pa., has confessed that he poisoned one of his sons and attempted to kill the other in the same manner. Walter Gosson died on May 19. There were suspicious circumstances surrounding the death of the boy and the corner of the county started an investigation which resulted in Gosson's making a confession.

Gosson was a flagman at a railroad crossing at Tullytown and is about 60 years of age. He poisoned the boys because they were not very bright and there was no chance that they would ever be of any use to him. There is an insurance of \$300 on the life of the boy he tried to kill.

BODY IS IN GRAVE.

Hay's Remains are Placed in Final Resting Place.

At almost exactly noon Wednesday the body of John Hay was laid to rest in the Lake View cemetery, Cleveland, O.

Around the open grave at the last moment stood with bowed heads the president and vice president of the United States, members and ex-members of the present cabinet and men who had in former years served with the dead secretary in the official family of President McKinley. There were many others who willingly would have paid tribute, honor and respect to Mr. Hay, but it was the wish of his family that the funeral should be conducted quietly and unostentatiously.

MORE BANKS FAIL.

Two Devlin Institutions in Illinois Closed.

The comptroller of the currency at Washington, D. C., has appointed national bank examiners receivers for the Spring Valley National Bank, of Spring Valley, Ill., and the First National Bank, of Toluca, Ill., upon information that both institutions had closed.

The suspension of the banks was due to the failure of C. J. Devlin, president of both of them.

The capital of the Spring Valley National Bank was \$50,000 and of the First National of Toluca, \$100,000.

A Maryland Bank Fails.

President Munson, of the Commercial Bank, at Hagerstown, Md., Thursday issued a statement that the bank would not again open for business. Munson said an examination of the bank's affairs had disclosed a deficiency of assets and a confused condition of books. Cashier John Bowman committed suicide July 3. The deposits are \$100,000.

Indian Woman Honored.

Sacajawea, Indian Bird, the woman who, bearing on her back her infant child, guided the explorers Lewis and Clark through "Old Oregon," received public recognition for her services at Portland, Ore., Thursday at the exposition, when a handsome bronze statue of the Indian woman and poupoze was unveiled.

Explosion in Coal Mine.

An explosion occurred in the Tidewater coal mines at Bivian, W. Va., Wednesday, causing the death of nine men and injuring four score others. Fifteen were rescued in a dying condition.

To Declare Devlin Bankrupt.

A petition to declare C. J. Devlin bankrupt was filed in the federal court at Topeka, Kan., Wednesday on behalf of the Kansas City creditors.

Fourth of July Victims.

According to dispatches received by the Chicago Record-Herald from 150 of the principal cities of the United States 36 persons were killed and 1,677 injured by explosives of firecrackers, firearms, gunpowder and toy pistols on the Fourth of July.

Hurricane in Samoa.

News has reached Sydney, N. S. W., that great damage has been caused in Samoa by a hurricane. Particulars have not yet been received.

STATE OF NEBRASKA

NEWS OF THE WEEK IN A CONDENSED FORM.

Fight Over Right-of-Way—Said Survey of Great Northern is Such that It Will Render Operation of Interurban Road Impracticable.

The Winnebago Indian reservation in Nebraska seems to be destined to be the scene of a battle royal, not only between those opposed to the sale of liquor, but the construction of several railroads as well. The question of right of way privileges across the Winnebago reservation in eastern Nebraska has brought the controversy before the department of the interior at Washington, D. C. The case is an interesting one, and has been several months developing to its present crisis.

A year or two ago the Sioux City, Homer and Southern Railroad secured right of way across the reservation with the announced purpose of constructing the interurban road from Sioux City south to Omaha. There had been reports previous to this that the Great Northern designed an extension over a very similar route of its line from Sioux City to Omaha. The Sioux City, Homer and Southern proceeded to construct a few miles of its line, but not on the reservation, and then fell into financial difficulties and construction was suspended. Meanwhile the Great Northern matured its plans, made surveys and prepared to build its line from Sioux City to a connection with the Burlington and Missouri.

Application was made a few weeks ago to the Indian office for right of way across the Winnebago reservation. Under the law the department may not grant second right of way across a reservation, parallel to one already granted, and within ten miles of it, unless there be a showing of special public necessity for the construction of the second road.

In this case the Sioux City, Homer and Southern protested, insisted on its good faith and desire to carry out its plans, showing the Great Northern survey crossed the right of way of their company at a number of places and produced conditions that would make it practically impossible to operate either road successfully on the proposed routes.

Application has been received from Joseph Crowe, attorney for the Sioux City, Homer and Southern company asking that a date be fixed for oral argument of the matter before Judge Campbell. Accordingly July 25 was set for the hearing, at which time Thomas R. Benton, of St. Paul will appear on behalf of the Great Northern.

Meantime the whole plans of the Great Northern are in abeyance.

BURNED IN GASOLINE.

Omaha Woman Mistakes the Liquid for Water.

As a result of a gasoline explosion at Omaha Wednesday Mrs. Anna Johnson, of 1615 Ohio street, met with a frightful death, and her home was partially destroyed.

Mrs. Johnson had gone to the kitchen to light a gasoline stove which had been looking. Mistaking the gasoline beneath the stove for water Mrs. Johnson struck a match. A terrific explosion followed, enveloping Mrs. Johnson in the burning fluid. In her efforts to extinguish the flames the woman rushed into a bed room, setting the house on fire. After the house had been partially destroyed the fire department succeeded in extinguishing the flames, when Mrs. Johnson's body was found burned to a crisp.

CHILD AND TEAM DROWN.

Nebraska Man Drives Into Ponca Creek, Near Lynch.

A Norfolk special says: Returning to his home in the country after spending the Fourth of July at Lynch, where they had given their baby its first ride on the merry-go-round, Mr. and Mrs. Perry Scott lost their way and drove into Ponca Creek. The child was carried from its mother's arms and the body has not yet been recovered. Both horses were drowned in the stream and the mother and father were only saved after a long, hard struggle on his part.

MAN KILLED.

Traveler Run Over by a Train and Body Cut in Two.

O. E. Terry, a wealthy business man of Stoughton, Wis., was killed at Lincoln Wednesday night by being run over by a Burlington railroad train. He was on his way home from Ravenna, Neb., and while the coach in which he was riding was being switched in the Lincoln yards he attempted to jump to the platform, but fell and was run over by the wheels, which severed his body.

Shot in Self-Defense.

Dan Dimich, the man who shot and killed Vosa Bosovich in a car near the Union Pacific depot in Fullerton last Saturday night, was discharged by County Judge Robinson, before whom the preliminary hearing was held. The evidence clearly showed that the defendant was acting in self-defense.

Girls Travel in Male Attire.

A gentleman by the name of French, from Allen, is at Albion looking for two of his daughters, who left Plainville more than two weeks ago. Shortly after starting they secured male attire and have ever since been traveling in that disguise.

No Relief for Mrs. Aigoe.

J. O. Yeiser's efforts at Lincoln to secure the release of Mrs. Lillian Aigoe, a confessed blackmailer, from the Douglas County jail under habeas corpus proceedings, have failed. The supreme court denied the writ.

Ashland Man Loses Foot.

Charles Dalton, of Ashland, while passing between a moving freight train, slipped and fell and had his right foot cut in such bad shape that it will be necessary to have it amputated. He was sent to the St. Joseph hospital at Lincoln for treatment.

Kills Fellow Workmen in Quarrel.

At Fullerton Daniel Mimich, an Austrian laborer, was shot and killed Saturday night by Vosa Bosovich, a fellow workman, in a box car as the result of a quarrel. Bosovich escaped.

DECLARED GUILTY.

Banker Chamberlain Convicted of Embezzlement.

After being out since 4:30 the previous evening the jury in the district court at Tecumseh at 6 o'clock Friday night brought in a verdict of guilty against Charles M. Chamberlain, Chamberlain, who was the cashier of the failed Chamberlain banking house of Tecumseh, was accused of misappropriating \$3,500 of the bank's money in the purchase of a ranch in Custer County. Following the delay in securing a jury a hard fight was put up on both sides of the case, the same coming up before Judge Paul Jensen, of Nebraska City, Monday morning last.

At about 6 o'clock on Friday night the jury announced that it found Chamberlain guilty of the charge of embezzlement. The judge asked the amount, whereupon the jury again retired and returned shortly and announced for the full amount charged.

Chamberlain was present in the court room and was greatly affected at the finding.

No doubt the case will be taken to the supreme court. It is a notable fact that within the past twenty-five years there have been three bank failures in Tecumseh, and this is the first conviction.

FLOODS ARE SERIOUS.

Burlington's Train Service Demoralized by Washouts.

Transportation has been practically at a standstill around McCook for the last twenty-four hours as the result of extraordinary rains over the Burlington main line and branches north and south. Heavy washouts are reported between Arapahoe and Holdbrook on the main line to Chicago; between Carter and Osceola on the St. Louis main line; between Hollinger and Beaver City on the Orleans and St. Francis branch; between Farnam and Maywood on the Holdrege and Cheyenne branch.

Two bridges are out, one on each side of Hollinger. The aggregate of grade washed away will make a number of miles. Days will be required to make good all the damage caused by the floods which have been unprecedented.

NORTH PLATTE HAS A FLOOD.

Heavy Rain Accompanied by Hail and Wind Destroys Property.

A North Platte special says: A severe storm came up from the west Friday evening about 7 o'clock. It was preceded by a strong wind with clouds going through peculiar antics. Clouds were noticed with a large funnel whirling with the point upward. Soon heavy hail began to fall and fell until the ground was covered about three inches in depth. The hailstones were large, many of them, by actual measurements, being one and a half inches in diameter.

The wind with the hail caused it to do great damage and hundreds of window lights were broken out in this city. Trees were trimmed of half small twigs and leaves and some large branches were broken off. Hail broke down some electric wire connections.

STUDENT IS WOUNDED.

Robert Livingston, of Burrell, Shot While Hunting.

While out hunting, Robert Livingston, son of Ida Livingston, of the Simmons Hotel, at Burrell, was accidentally shot at one of the lakes about twenty miles northwest from Burrell. His recovery is doubtful.

It seems that he and his four companions were out near the lake and a shower came up and they all ran for the buggy. Livingston put his gun in, loaded and cocked, and in scuffling for the best seat with his companions the gun was discharged and the full load took effect in his body. He is a student of the Omaha Medical College and a bright young man, and the tragedy casts a gloom over the whole village.

PLOEHN GIVEN LIFE SENTENCE.

Murderer of Alma Goos Pleads Guilty at Plattsmouth.

Max Ploehn surprised the people of Plattsmouth Wednesday by pleading guilty to charge of murder in the first degree. Judge Jensen, before whom the plea was made, immediately sentenced the murderer to the penitentiary for life and he was taken to Lincoln in the afternoon.

Ploehn shot and killed his cousin, Alma Goos, and wounded her sister, at the Goos farm, south of Plattsmouth, last month. He eluded arrest for several days, but finally surrendered. At the preliminary examination he pleaded not guilty.

BURNED BY GUNPOWDER.

Lincoln Boy Drops Fuse into Can of Explosive.

Lincoln escaped this year without a fatal accident being reported, but about fifty persons were burned by explosions and bruised in various undertakings on July 4.

Roy H. Schmitz was the most seriously injured. He dropped a lighted fuse into a baking powder can full of powder. His face was badly burned and he may lose the sight of both eyes.

Barn Struck by Lightning.

The barn on the farm of Fred Roebke, six miles from Seward, was struck by lightning on Sunday night about 9:30 o'clock and was burned to the ground. A team of horses and a lot of farm machinery was consumed. This makes the third time that the barn on this place has been destroyed by fire.

More Graders in the Field.

Another large gang of graders, with equipment, passed through Dakota City Saturday morning from Sioux City en route to join the gang now at work near Homer. The grade is being built from Homer toward the junction with the present Great Northern tracks.

Republican out of Banks.

Owing to recent rains the Republican River is out of its banks, overflowing the bottom lands near Bloomington. It is higher than at any time since 1865, with indications of more rain and a still greater rise. Wheat cutting is stopped and corn plowing is impossible.

Sheriff Confiscates Liquor.

Sheriff Brott arrested Isaac Ong, of McCool, who was charged with selling liquor. The sheriff also captured ten cases of beer and three gallons of whiskey.



STATE CAPITAL LICENSURE BILL.

The state bureau of labor has completed its schedule showing the number of men needed in each county and town in Nebraska, and is now ready to begin operations to supply the fields of Nebraska with all the men needed. Until Saturday night the bureau has been aiding Kansas, where over 22,000 men were needed, and has shipped to that state a great number. Saturday the harvest commenced generally over Nebraska and the bureau will now call on the director of employment of Kansas to return the favor and to ship men to the farmers of this state. Because of the great number of men who go into Kansas every year, Nebraska, it is claimed, gets the better of this labor agreement, since the harvest is soon over down there and the men are aided to get cheap transportation to Nebraska, where new jobs await them. In fact the bureau of labor claims Nebraska gets about four times as many men back as it sends. The schedule is as follows: Adams, 90; Antelope, 75; Boone, 150; Buffalo, 60; Butler, 75; Clay, 125; Colfax, 90; Cuming, 70; Custer, 140; Dawson, 100; Dodge, 80; Franklin, 76; Frontier, 50; Furnas, 115; Gage, 30; Gosper, 25; Hall, 80; Hamilton, 50; Harlan, 80; Hayes, 100; Hitchcock, 300; Jefferson, 100; Kearney, 90; Madison, 175; Nance, 60; Nuckolls, 60; Phelps, 100; Platte, 125; Polk, 25; Red Willow, 225; Saline, 60; Seward, 50; Stanton, 90; Thayer, 150; Valley, 60; Webster, 65; York, 115. Total, 3,570.

The first copies of the session laws are expected by the secretary of state by July 1. The contract made by the printing board carries with it a penalty of 1 per cent of the total amount of the contract, \$3.00 a page, for every day after July 1 that the books are not delivered. The printers have notified the secretary of state that the books will be delivered by July 1. Under the constitution the state is required to get the books out within sixty days after the legislature adjourns. This law imposing this duty on the secretary of state has been enacted by the law creating the printing board, which provides that this board shall let all contracts. According to this section the board has twenty days before advertising for bids for printing, and it is required to give at least ten days' notice before letting the contract. This would consume thirty days of the sixty days required by the constitution. Incidentally, no one knows when the senate and house journals will be out. The contract specifies that they shall be completed within sixty days after the receipt by the printer of the last of the copy. The last of the copy is supposed to have been delivered to the printer at a very recent date.