

THE FRONTIER.

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CLYDE KING AND D. H. CRONIN, EDITORS AND MANAGERS.

VOLUME XIV.

O'NEILL, HOLT COUNTY, NEBRASKA, MARCH 1, 1894.

NUMBER 34.

LOCAL NEWS ITEMIZED

The Local News of O'Neill as Caught by the "Kids."

RATHER INTERESTING NOTES

Items of General Interest Published While News is Still News.

W. G. Palmanteer left for the east last Saturday.

Price Jamison, of Butte, was in the city Tuesday.

John Hazlet made a business trip to Sioux city last Monday.

Shorts and chop feed at reduced prices. We are the people. See us before buying. 33-2

O'NEILL GROCERY COMPANY.

See our special drive on rice, syrup and jelly. We can save you money.

O'NEILL GROCERY COMPANY.

THE FRONTIER and New York Tribune both for \$1.50.

Ed Loucks and Ethel Ashley, both of Inman, were married at that place on the 24th inst.

Jas. Skirving, of Iowa, is in the city this week to testify on behalf of the county in the Darr case.

Clarence Selah was admitted to the bar last Monday. Clarence is of the staff that makes good lawyers.

J. P. Mann left this morning for Chicago where he will purchase his spring stock of goods. Wait for them.

Have you seen those elegant samples—latest styles—of wall paper at the Golden Investment Co.'s store? 33-2

If you want to see fine, pure bred S. C. Brown Leghorns, visit pens of J. H. Riggs, south of Checker bard. Eggs, \$1 per 13. 34-3

E. M. Cooke, of Deloit, and Miss Etta A. Dyke, of Bliss, were married in O'Neill last Monday by County Judge McCutcheon.

L. J. Snor, of Spencer, last Tuesday purchased of Judge McCutcheon a license to wed Miss Carrie Oppenbaugh, of Slocum.

Miss Nina Ryan celebrated her 13th birthday last Wednesday by inviting in a number of her young friends to spend the afternoon.

Messrs. Miller and Wilson, from the Niobrara river, shipped a couple of car loads of cattle to Omaha last Thursday from this point.

Dr. Blaine, physician in charge of the Keeley Institute at Dwight, Ill., was in the city last Saturday inspecting the institute at this place.

A number of Miss Tina Gatz's young friends honored her with a surprise party last Friday evening. They report an exceedingly pleasant time.

Mrs. McGreevy, Barney's mother, was taken suddenly ill last evening and is very low at this writing. THE FRONTIER hopes for her speedy recovery.

Speaking of the tax list steal the Chambers Bugle says it can see "no difference in taking the public money out of the treasury and voting it out."

Place your order for wall paper with the Golden Investment Co.'s store, in time for spring cleaning. No old, dead stock, but the latest styles on the market. 33-2

For sale or rent, on easy terms, a good farm, 160 acres, four miles from O'Neill; all tillable land, 115 acres were under the plow last year. For terms and further particulars address, Wilbur Seed and Feed Co., Milwaukee, Wis. 30tf

Buy corn lands in Charles Mix county, Missouri river county in South Dakota south of the north line of Iowa. For particulars and for map address CHARLES MIX CO. LAND CO., Edgerton, South Dakota.

The Sun denies that it ever gave the county short count on stationery, also that it offered to sell out to the "Scott King," and calls upon us for proof, that it doesn't want. If necessary we are prepared to prove either one or both of the allegations.

Mrs. L. E. Whitehorn will give a term of eighteen lessons in vocal music for \$1. Beginning February 19. Class meet at residence in the northwestern part of town, at 4:30 p. m., Monday, Wednesday, and Friday. Instrumental lessons \$8 per term. 32tf

Barber Smoot, that "classical gentleman from Missouri," has added a nice piece of furniture to his shop decorations. It is in the shape of a case filled with shelving, in which he will keep a large assortment of perfumes and barbers' supplies, generally. Charlie Davis is the mechanic and as an artistic worker of wood has no superior in this part of the country.

Miss Berthelet, sister of Mrs. Swingley, who has been visiting in O'Neill for some time returned this morning to her home at Leaf River, Illinois.

Dan Lauer died Tuesday at his home in Lincoln of heart failure. The funeral takes place today under the auspices of the Masonic lodge, of which he was a member.

The Rev. Byron Beall, well known to FRONTIER readers, was assaulted Tuesday on the streets of Lincoln by a tin-horn gambler. The assault was made in retaliation for a severe roasting delivered by Mr. Beall from the pulpit.

The seven social given at the Evans last night by the King's Daughters for the benefit of the cemetery fund was largely attended. The guests seemed to enjoy themselves and the fund was considerably augmented by the occasion.

State Treasurer Bartley has made an innovation in the business methods of his office and hereafter will require county treasurers to settle six instead of three times per year. This move is made that warrants may be more promptly paid and interest stopped.

Mr. and Mrs. Geo. D. Riggs became the proud parents of a bouncing boy last Thursday morning. THE FRONTIER hereby christens the scion G. W. Riggs, the initials of the cognomen to honor the birth and life of his illustrious prototype who was born just 163 years ago that day.

At the award of J. P. Mann's furniture set, February 23, Mr. Trussel of Little, Mr. Dobney of Atkinson and Mr. Cole of O'Neill were appointed a committee to dispose of the set in any manner they desired. They awarded it to No. 267. Miss Tess Harrington, of O'Neill, held the lucky number.

W. H. Mason, of O'Neill, and Mrs. Eliza Hartman, of Michigan, were married Monday evening at the residence of Mr. Davidson, in this city. Rev. Hosman officiating. After the ceremony the couple went to Mr. Mason's farm south of this city where they will make their home. THE FRONTIER congratulates.

H. H. Dickey, of Watson, Neb., was in the city Monday on business before the land office. Mr. Dickey is an innocent purchaser of a piece of school land effected by the recent decision, and is very emphatic in his denunciation of the administration that needlessly causes hardship to be visited upon so many settlers.

The Odd Fellows and Daughters of Rebekah last Tuesday night gave a farewell party in honor of Mr. and Mrs. E. W. Adams, who will soon leave for Iowa. The hall was comfortably filled with guests and an enjoyable evening spent. The program consisted of an address by Mr. Uttley, musical selections, card playing, dancing, etc.

Mrs. John Lappan and children left Tuesday morning for Winona, Minn. Mr. Lappan will remain in the city a few days settling up business matters after which he will join his family in Winona. John has not disposed of his property here and says he is not anxious to do so, as he has an idea that one of these times he will take a notion to return and again be one of us.

The A. O. U. W. lodge had a very pleasant and profitable session Tuesday night, the occasion being the breaking-in of the goat by a couple of prominent O'Neills. The following visitors were present: A. S. Eby, of Dustin; Messrs. Kirkendall, Dobney and Hamilton, of Stuart; Messrs. Churchill and Collins, of Atkinson; Mr. Rothleutner, of Ewing; Messrs. Grey, Hunter, Smith and Chase, of Page.

The Fremont Tribune of last Saturday contained the following: Traveling passenger Agent J. H. Gable, of the F. E. and M. V. went to O'Neill this morning with a party of eastern capitalists who are thinking of starting a beet-sugar factory there.

This is news to us and we have been unable to learn that they ever arrived in O'Neill. It is quite probable that the article should read Neligh instead of O'Neill, as they are figuring on a plant at that place.

Editor Lyons, of the Gordon Journal, was in the city last Monday on business with the German Chicory company. Mr. Lyons was here for the purpose of convincing the company that it would be to their advantage to interest the farmers in the vicinity of Gordon and build a drying kiln at that point. Mr. Hazlet, manager of the company, informs us that if the farmers at that place will contract to raise a sufficient acreage the company will put the kiln in this year, and possibly a factory later.

Notice. There will be a meeting of the officers and members of the Holt County Agricultural society at Frank Campbell's office in O'Neill, March 2, 1894, at 1 p. m. All are requested to be present. Business of importance. H. HODGKINS, Pres.

The Legal Kopper.

The district mill of justice has been grinding away the past week, in the grist being some of those political cases, of which we have heard so much.

The court took a holiday Thursday to honor Washington's birth. It convened on the morning of that day, however, to hear the verdict of the jury in the case of Voorhes vs. O'Brien; the jury failed to agree and the case was continued.

State vs. Scott was called up Friday, and a change of venue asked. The defendant asked to be sent to some adjoining county in the district, but the court sent the case to Antelope. The attorneys for the state had gone into the counties of Rock and Boyd and secured affidavits from residents to the effect that they did not believe the state would receive a square deal in those counties. These affidavits, were, upon motion, stricken from the records.

The indictment against R. R. Dickson was heard Saturday. Dickson plead guilty to assault and battery and was fined \$10 and costs. This was the case where Dick threw an ink well at a witness and struck the constable. The constable made no complaint but the grand jury in the depth of their wisdom concluded that the well had been twirled for the purpose of committing murder, or doing great bodily harm and accordingly spent ten times as much as the fine amounted to in order to find the indictment.

County vs. G. C. Hazlett was finished yesterday by the jury returning a verdict for plaintiff for \$1,866.38 This is one of the cases where the county sought to repudiate the settlement made by the board, and the jury has said by its verdict that it had a right to do so. The case will be appealed.

The court Monday sustained a demurrer to the indictment of Del Akin and he was discharged. This indictment cost the county lots of money, too.

The county of Holt vs. G. C. Hazlett in a case similar to the one tried yesterday, is being heard to-day.

Judge Bartow is presiding.

Happily Wed.

DOWNEY—HALLORAN—In Inman, Neb., February 21, 1894, at the home of the bride's parents, by the Rev. N. S. Lowrie, of O'Neill, Fred A. Downey and Miss Delia Halloran, all of Inman.

This wedding, brief mention of which was made in these columns last week, was a very pleasant affair and the tying of the happy nuptial knot was witnessed by about forty relatives and invited guests.

The bride is the daughter of John Halloran, an old and respected citizen of Inman, and is a lady admired by all for her sterling qualities of real worth.

The groom is a prominent and prosperous young business man of Inman and has many friends among his numerous acquaintances.

The young couple start out in real life under favorable auspices and with the well wishes of many friends, among them THE FRONTIER.

Following is a partial list of wedding presents presented by admiring friends: Carlsbad China tea set of fifty-six pieces and three window shades—Mr. and Mrs. Harry J. Coffin, Burwell, Neb.

Team of horses—C. E. Downey, Sioux City, Io. Bedstead, dresser, commode, springs, mattress and chair—Mr. and Mrs. J. J. Halloran, Silver butter dish and knife—Mr. and Mrs. D. E. Anderson, Burwell.

Water-pail, oil-can and broom—E. Downey. Silver salts and pepper—Mr. and Mrs. W. D. Mathews.

Dozen white napkins—Misses Anna and Dora Davidson. Set silver knives and forks—Mr. and Mrs. Henry Coffin, Burwell.

Syrup-pitcher and sauce-dishes—Mrs. Will Watson. Granite tea-pot—Mr. and Mrs. Butler and Mrs. Watson.

Set silver tea-spoons—Mr. and Mrs. Jas. Whitehead, Broken Bow.

Chenille table spread—Minnie and Lulu Downey, Sioux City.

Rocking chair—Laura Halloran. Sugar bowl, spoon-holder, creamer, butter-dish and table cloth—Mrs. E. Downey. Center table—Lucy Halloran.

Glass fruit-dish—Mr. and Mrs. E. E. Gore. Granite tea-kettle and grater—Lewis Downey.

Parlor lamp—Mrs. C. E. Downey. Gold sugar shell and set of tumbler—C. H. Bentley and family.

Bureau cover—Mrs. Bunnell and Mrs. Mathews, Burwell.

Three pairs of lace curtains—Mr. and Mrs. Alex. Anderson, Burwell.

Fine linen tablecloth—Unknown.

Silk sale at Mann's Saturday, March 3. 34-1

Another Old Citizen Gone.

WELTON—At his home in O'Neill, February 27, 1894, at 11 o'clock a. m., of apoplexy, Barnabas Welton, aged 65 years, 2 months and 1 day.

Deceased was born in Rockland, New York, Dec. 26, 1828, was married to Eliza C. Schoonmaker May 27, 1853, and removed to Minnesota in an early day. By this union four children were born, two of whom, Charles, of Custer City, S. D., and Mrs. William Gaffer of this place, survive. The mother and wife died Aug. 14, 1861, and on March 14, 1864, deceased was again married, to Augusta A. Huntley, at Cleveland, Minn. The family came to Nebraska in 1880,

located on Brush Creek, some thirty miles northwest of O'Neill. Here they resided until 1882, when they moved to O'Neill. To Mr. Welton and his second wife were born eight children, six of whom, all well known to our people, survive the father, as does also the mother. These latter children all reside here, except Ed, whose home is at Whitney, Dawes county, Neb., and there are now living eight children and five grand-children, descendants of Mr. Welton.

Last summer deceased had a stroke of apoplexy, from which he never fully recovered and this winter has been failing steadily, and although his death was expected, its suddenness was a severe shock to relatives and friends. The day he died, Mr. Welton was up and dressed, although had lain down during the morning. At about 10:40 he arose and went into the sitting room, where his wife gave him some medicine. He sat down in a chair and complained of being dizzy, asking for water. While Mrs. Welton was out of the room getting the water, her husband fell forward on the floor from which he never raised again himself, in the fall striking his face on a chair. The news quickly spread and kind hands soon came to the assistance of the family, but the sufferer was beyond earthly help, his soul having gone to the God who gave it.

Barnabas Welton was a man of sturdy honest character, a friend of all that was good and true and a relentless foe of evil. He never studied policy, but always endeavored to do his duty as he saw it, regardless of consequences. He had never been an adherent of any specific religious belief or a member of any church, but always an interested listener upon the word, and during the recent meetings in the Methodist church was especially touched and gave his name to the church as probationer. It is thought his end was hastened by his attendance upon these meetings, but if so he is the gainer, having sooner entered upon his reward, while the friends have the blessed assurance that he is at peace.

Deceased was no less a good soldier and officer than citizen. During the Indian trouble in Minnesota he was a government scout for eighteen months during '62-3, after which he served nine months in First Minnesota Heavy Artillery. In the fall of 1881, he was elected sheriff of Holt county, serving two years. Since this time he has been constable or justice of the peace nearly all the time, all of which duties he fulfilled faithfully.

The funeral occurred at one o'clock today from the Methodist church and was under the direction of the G. A. R. of which deceased was an honored member. The Bartley Guards also turned out to do honor to the memory of a brave man. **

CARD OF THANKS.

We wish to express our kind regard and deep thankfulness to the many friends who so nobly assisted us during our sad bereavement caused by the death of our beloved husband and father.

Mrs. B. WELTON AND FAMILY.

Obituary.

RISHEL—At the home of her daughter, Mrs. Wm. Bowen, of this city, Sunday, February 25, 1894, at 2:30 A. M., age 75 years.

Deceased was born in Columbia county, Pennsylvania, May 30, 1819, and removed with her husband, Jacob Riesel, to Illinois in 1861, and settled near Cambridge, Henry county. She accompanied her husband on a visit to Holt county in 1892. Mr. Riesel died at the home of his grand daughter, Mrs. W. E. Scott, of Atkinson, nineteen days after their arrival. The deceased has since that time been living with Mrs. Scott, of Atkinson, and Mrs. Bowen, of O'Neill.

She leaves four children, two in Illinois, one in South Dakota and one in Nebraska; sixteen grandchildren, five of whom are in Holt county, and sixteen great grandchildren. From early life she has been a christian, being a member of the M. E. church for more than half a century. Her end was not only peaceful but triumphant.

The funeral services were held in the M. E. church in this city and were conducted by Rev. E. E. Hosman. The remains were taken to Atkinson, where the enternment took place.

THE FRONTIER tenders its condolences to the relatives.

CARD OF THANKS.

We wish as a family to express our heartfelt gratitude to the many friends who assisted us during the sickness and burial of our mother and grandmother. We think it impossible for our affliction to have come upon us among a kinder people than we have found in O'Neill.

WM. BOWEN AND FAMILY.

Letter List.

Following is the list of letters remaining in the postoffice at O'Neill, Neb., unclaimed, for the week ending February 25, 1894:

York Anderson, W. Bronson, B. Brady, Mrs. N. Carline Clark, W. C. Dennis, T. Elliott, I. H. Galatin, John Gallagher, Jos. Kitz, Frank Beckner.

In calling for the above please say "advertised." If not called for in two weeks they will be sent to the dead letter office.

J. H. RIGGS P. M.

Boyd County School Lands.

The following in regard to the Boyd county school lands we clip from Friday's State Journal, believing that it will be of interest to a large number of our readers:

Land Commissioner H. R. Humphrey has the gratification of knowing that he has won his case with the department of the interior and as a result the state of Nebraska secures possession of 25,000 acres of good land, the most of which is situated in Boyd county. Commissioner Humphrey was notified yesterday of the decision in his favor which gives the statute title to this large area of agricultural and grazing land.

The case has attracted much attention because of the large interests involved and for the reason that many homesteaders claim to have been innocent purchasers of homestead rights. In 1892 Commissioner Humphrey, acting for the state, selected indemnity school land. Later it developed that certain parties had sold homestead rights in Boyd county, the rights covering not only Mr. Humphrey's indemnity selections, 16 and 36 in place, which are the property of the state as school lands. The O'Neill land office accepted these homestead entries. Commissioner Humphrey protested against the action of the land office and the case was tried in June, 1892, before the commissioner of the general land office. That official held that there was no school land in Boyd county, that the indemnity could not be taken by the state because it had been set aside by the government as lands in trust for the Ponca and Sioux Indians.

Commissioner Humphrey appealed from this decision of the commissioner of the general land office to the secretary of the interior August 28, 1892, and the decision just received from the secretary of the interior sustains Mr. Humphrey in every particular, not only holding good his indemnity selections, but also that sections 16 and 36 in Boyd county are school lands. As this means a revenue of about \$100,000 to the state, Commissioner Humphrey is pardoned for the satisfaction he feels in the result of the case.

HOKE SMITH'S DECISION.

In reversing the commissioner of the general land office, Hoke Smith, secretary of the interior, issues a lengthy opinion. He refers to the Indians' title to the land and the act admitting Nebraska to the union. The decision says: "At the date of this act these lands were not in Nebraska, but were in the territory afterwards added to said state by the act of March 28, 1882, extending the northern boundary of the state of Nebraska, and under the provisions of the act of March 2, 1889, throwing these lands open to settlement, it was provided as follows: 'And when the Indian title to the land thus described shall be extinguished, the jurisdiction over said lands shall be, and hereby is, ceded to the state of Nebraska and subject to all the conditions and limitations provided for in the act of congress admitting Nebraska into the union, and the northern boundary of the state shall be extended to said 43d parallel, as fully and effectually as if said land had been included in the boundaries of said state at admission into the union.'

"Two questions arise: "First—Did the United States grant sections 16 and 36 of these lands to the state of Nebraska for school purposes? and as subsidiary to this, were lands granted to the state of Nebraska in lieu of lands lost in place by reason of the sections being deficient in area or having been otherwise disposed of?"

"Second—Were the lands selected subject to indemnity selections by the state?"

"In the annual report of the commissioner of the general land office for the year 1890, page 243 of said report, I find the following, which appears to be part of a letter written from your office to the commissioner of public lands and buildings for the state of Nebraska: 'In the Ponca reserve, which formed a part of the great Sioux reservation and is included in the country to be taken from Dakota and annexed to Nebraska, there is no grant of the sixteenth and thirty-sixth sections in place to the state of Nebraska, but upon the extinguishment of the Indian title the state will become entitled to school indemnity and it may then select it in the usual manner.'

"This is manifestly erroneous, taken as an entirety, for the simple and apparent reason that if there was no grant of the sixteenth and thirty-sixth sections in place, to the state of Nebraska, there could be no loss to the school grant of Nebraska by reason of other disposition of these sections, and it follows as a logical consequence that there could be no grant of indemnity for losses that were never sustained. The right to school lands in place is the only foundation on which to base a demand for indemnity for losses, and where there is no loss there can be no indemnity."

SUBJECT TO INDEMNITY.

"Were the lands selected subject to indemnity by the state?"

"In your office decision herein of August 29, 1892, you hold that these selected lands are burdened with a trust in favor of the Indians from whom they were obtained, and it would be a breach of faith on the part of the government to dispose of them otherwise than by sale, as the law provides."

It is true that under the treaty of March 12, 1858 (supra), the United States agreed to protect the Poncas in the possession of these lands, but the title in fee remained in the government, subject to the Indian right of occupancy. This did not prevent the government from granting the fee, subject to said right of occupancy. See Beecher vs. Wetherby (95 U. S. 517); Henry Sherry (12 L. D. 176). By the terms of the act of March 2, 1889, (supra), accepted by the Indians, they surrendered their right of possession to the United States, and the government having previously conveyed the fee in the 16th and 36th sections in bulk to the state of Nebraska, became the trustee of said state for the right of possession of said lands; thus perfecting

the state's title thereto, subject of course to losses by reason of allotments to Indians in severalty, and so far as the allotments extended, the Indians' right of possession was never relinquished.

It is on account of losses under these allotments, of sections 16 and 36 in place and certain other deficiencies arising from natural causes, that the state seeks indemnity in the selections made. After the allotments in severalty had been made, pursuant to said act of March 2, 1889, in accordance with the further provisions of said act (section 21), the president declared the Indians' title extinguished as to the allotted lands.

ALLEGED BREACH OF FAITH.

It is urged as one result following out of the alleged contemplated breach of faith with the Indians that inasmuch as these lands were to be opened and disposed of to homestead settlers only and the proceeds to be set aside to the permanent Indian fund, that their selection by the state of Nebraska will deprive the Indians of the proceeds of the sale of the same to that extent. The act throwing open these lands to settlement provides (and it would seem with reference to this very contingency) that the United States shall pay to said Indians the sum of \$1.25 per acre for all lands reserved under section 24 of the same act, which reserved sections 16 and 36 of each township of the lands opened to settlement under the act for public schools. The fact that these lands are made subject to entry by homestead settlers only does not make them any the less subject to school indemnity selections.

It would be illogical and inconsistent to assume that congress would make the usual grant of school lands in place, but neglect to provide for indemnity, when the grant in place should fail. (Oklahoma Territory, 14 L. D. 226.) And the fact there may be other lands in the state subject to said selection is immaterial.

"The law gives the state the right to select school indemnity lands for sections 16 and 36 lost in place, or where one or both are fractional in quantity from any natural cause, and the same quality of lands may be selected and as contiguous as may be to the lands lost by reason of said deficiencies.

"You are therefore directed to take such steps as may be necessary to carry into effect the views expressed herein under the adjustment of loss to the state of Nebraska under its school grant."

A correspondent writing to the Hebron Journal has the following to say of our National Guard and officers:

"Adjutant General Gage says that sometime during the next autumn he will call out the entire military force, infantry cavalry and artillery, and go into camp near some city in the state and spend ten days drilling the troops. Regular army officers will be detailed to conduct the drill. It will be a grand sight for those wishing to see all the maneuvering of an army just as if in actual service. There will be sham battles, drills, dress parades, etc. The shrill notes of the bugle will break the stillness of the morning air, and the 'tap' will put the boys to sleep whether they will or not. Officers and men will be in full uniform. It is not decided yet where this camp will be located, but surely it is worth looking after and the various cities of the state ought to be talking the matter and sending their request; and their bids to the Adjutant General. The good judgment of Governor Crouse, in the selection of the Adjutant General is clearly manifested by the marked improvement in the military of the state and from all we can learn the Nebraska National Guard is a body of men of whom any state might well be proud, and it will be a factor of no small magnitude in the future history of our own grand commonwealth."

Mr. Emery on Irrigation.

[CONTINUED FROM LAST WEEK.]

think: Your houses are lit by electricity; a few years ago they were not. You don't think anything about it—I refer to the electric light. You put a light in that lights the house and you think nothing about it. They are in New York now putting Niagara Falls in use, making electricity to do the work of the city of New York. To do the work of this big city it will become a part of Rochester, New York, Albany. It is no fancy; it is a fact they are doing it; it is in process. A month ago they put electricity under the boats in the Erie canal and another season they intend to run the boats by that electricity at Niagara. Now I think where the water comes near the surface there will be a plant. You want an electric plant for the township. You give every man a lightning-rod, keep his pump going night and day. Not a day out of the year round. Can't you water quite patch in the Platte valley that way? Why, these boys heads won't be gray before this is done. In a short time you are to see in the towns a dense population supported by the water pumped up out of the ground. The soil is here. I traveled over an orange field in California where my boots were not dirtied with dirt, but with sand.

If you have a sandy quarter, water it; it will make good land. So that water lifting is the third way of irrigating.

[CONTINUED ON LAST PAGE.]