

THE FRONTIER.

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D. H. CRONIN, EDITOR AND MANAGER.

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O'NEILL, HOLT COUNTY, NEBRASKA, OCTOBER 14, 1897.

NUMBER 15.

NEWS SANS WHISKERS

Items of Interest Told As They Are Told to Us.

WHEN AND HOW IT HAPPENED

Local Happenings Portrayed For General Edification and Amusement.

Firemen's ball tomorrow night.

Harvey Bently was down from Stuart Sunday.

S. H. Green was up from Ewing Tuesday.

Mike Welsh returned from Burwell last Friday.

Frank Moore, of Atkinson, was in O'Neill Tuesday.

O. F. Biglin made a business trip to Sioux City Wednesday.

State Superintendent Jackson was in the city the first of the week.

Mr. and Mrs. Sam Burge are rejoicing over the arrival of a daughter.

WANTED—At this office, ten bushels of good potatoes on subscription.

Mr. and Mrs. J. P. Gilligan went down to Sioux City Wednesday morning.

Dennis Murphy was a caller Monday and paid his respects and subscription.

T. D. Hanley and Wm. Laviolette attended the carnival last Friday and Saturday.

Rev. J. Crews, the "new" Methodist minister, preached his first sermon Sunday morning.

H. M. Bradstreet is again in the livery business, having rented the Fallon barn next to this office.

The business man who advertises in THE FRONTIER is sure to prosper. Try it and be convinced.

T. M. Morris and B. A. DeYarman were among the O'Neillites who were in Sioux City Saturday.

Dick Kilmurry came up from Ewing Saturday evening and spent Sunday in the bosom of his family.

Don't fail to buy a ticket to the firemen's ball. It is for a worthy cause and should be patronized.

Use H and G remedy for black leg. As a preventative it has no equal. Sold by Hershiser & Gilligan. 15 tf

Miss Lettie Gillespie, who was seriously ill the first of the week, is somewhat better at this writing.

Several O'Neillites attended the carnival at Sioux City last week and all report having a pleasant time.

Miss Maud Gillespie came over from Spencer, where she is teaching, last Friday evening, returning Sunday.

Fred C. Wilson and May Trussell, of Little, were granted a marriage license by Judge McCutchan last Monday.

Prof. Schubert will move his family to this city tomorrow and will reside in the Jackson house on Fourth street.

For teeth or photos, go to Dr. Corbett's parlors, 23rd to 30th of each month. Photographs \$1 per dozen.

We sell good flour, corn meal, graham, bran, shorts, corn, oats, etc., at gold standard prices. 33-tf L. KEYES.

Do not let the black leg into your herd. Prevent it by using H and G. Sold by Hershiser & Gilligan. 15-tf

Mrs. Fred Van Fleet and children, of Atkinson, visited relatives in this city last Saturday, returning home in the evening.

Mrs. J. H. Meredith left yesterday morning for her old home in Iowa, where she will visit her parents for a few weeks.

Editor Sturdevant, of the Stuart Ledger, was in the city yesterday. John is making the Ledger a red hot sheet these days.

If black leg gets a start in your herd it is hard to check it. The best remedy known is H and G. For sale by Hershiser & Gilligan. 15-tf

The night of the fire some person took Scott Hough's dark lantern from the engine house and he would be pleased to have the person who took it return it to him.

Peter Sodersten has resigned his position as section foreman for the F. E. railroad at this place, and will move onto his farm in the north part of the county.

Certainly you don't want to suffer with dyspepsia, constipation, sick headache, sallow skin and loss of appetite. You have never tried DeWitt's Little Early Risers for these complaints or you would have been cured. They are small pills but great regulators.

HERSHISER & GILLIGAN.

Judging from the amount of lumber being hauled out of O'Neill these days it seems as if prosperity had struck the nation, but our populist friends will not admit it.

Michael O'Hoolihan, (Price Jamison) grand state organizer of Tammany lodges, with headquarters at Butte, honored this city by his presence here last Tuesday.

An old bachelor says, "The fascination for kissing cannot be explained, but it is supposed to be the same born instinct that induces one calf to suck another calf's ear."

Charlie Barrett, of Yankton, S. D., visited friends and relatives in this city over Sunday, returning to Yankton Monday morning, where he is employed on the Beacon Light.

Mr. and Mrs. A. B. Butler, of Wood Lake, Neb., were guests of Mr. and Mrs. Will Messner a couple of days the first of the week. They returned to their home Tuesday evening.

Mrs. G. W. Smith left Wednesday morning for Chicago, where she will remain some time. She will also visit her father, J. P. Blanchard, at Danville, Ill., before she returns home.

Fremont Tribune: Mrs. Laura Cress is packing her confectionery goods this afternoon and shipping them to O'Neill. Mrs. Cress, however, expects to remain in Fremont this winter at least.

Charlie Hough and Ruben Ward, both former Holt county boys, but now of Correctionville, Iowa, arrived in this city Friday evening and will visit friends and relatives here for a short time.

Ed Graham, jr., was in town Saturday passing around the cigars on account of the arrival of a daughter at his home Thursday evening. We smoked to the health of the little one.

Moments are useless if trifled away; and they are dangerously wasted if consumed by delay in cases where One Minute Cough Cure would bring immediate relief. HERSHISER & GILLIGAN.

Mrs. Fred Swingle passed through O'Neill Sunday evening en route to Atkinson from her old home in Leaf River, Ill., where she has been visiting her parents and old friends for some time.

The geese have commenced their annual trip to the south and a warmer climate, and the hunters are hurrying them up on the trip by "cutting loose" at them with "any old thing" that will shoot.

Winter blooming bulbs for sale, among them the genuine Chinese sacred lily. Mammoth bulbs, they grow in water and gravel, and bloom in from four to six weeks from planting.

HERSHISER & GILLIGAN.

Michael Sullivan, of Park City, Utah, who was called here last week on account of the serious illness of his mother, left for home Tuesday morning. Mrs. Sullivan has recovered sufficiently to be able to be around again.

If you have ever seen a little child in a paroxysm of whooping cough, or if you have been annoyed by a constant tickling in the throat, you can appreciate the value of One Minute Cough Cure, which gives quick relief.

HERSHISER & GILLIGAN.

The fire department will give a ball at the rink tomorrow evening. At the fire last week the fire apparatus was damaged to the extent of \$75, and this dance is given to help raise money to repair the loss. Everyone should turn out and assist in making it a rousing success.

Running sores, indolent ulcers and similar troubles, even though of many years standing, may be cured by using DeWitt's Witch Hazel Salve. It soothes, strengthens and heals. It is the great pile cure. HERSHISER & GILLIGAN.

Mr. and Mrs. John McHugh went down to Sioux City last Friday. From there Mrs. McHugh will go to Carroll, Iowa, where she will visit for a few weeks with relatives. John will look after some business in the eastern part of the state and will return to O'Neill the latter part of the week.

Small precautions often prevent great mischiefs. DeWitt's Little Early Risers are very small pills in size, but are most effective in preventing the most serious forms of liver and stomach troubles. They cure constipation and headache and regulate the bowels.

HERSHISER & GILLIGAN.

"Many have said their children would have died of croup, if Chamberlain's Cough Remedy had not been given," writes Kellam & Ourren, druggists, Seaview, Va. "People come from far and near to get it and speak of it in the highest terms." This is equally true of this remedy in every community where it is known. Buy a bottle at P. C. Corrigan's drug store and test it for yourself.

U. S. Adams and wife of Spencer, were in the city Tuesday on their way to Chambers where they will visit relatives for a few days. From there they go to Douglas, Otse county, where Mr Adams has secured a position in a hardware store. Their many friends in this city wish them success in their new home.

The "Bicyclist's Best Friend" is a familiar name for DeWitt's Witch Hazel Salve, always ready for emergencies. While a specific for piles, it also instantly relieves and cures cuts, bruises, salt rheum, eczema and all affections of the skin. It never fails.

HERSHISER & GILLIGAN.

Burwell Mascot: The town board at an adjourned meeting, by a vote of two to three, refused to grant liquor licence to M. J. Welsh, who had applied for the same. This, of course, the board had a perfect right to do, and their action pleases a considerable number of the citizens of the town and displeases others, as is always the case in such matters.

O. O. Snyder, H. M. Uttley, J. C. Harshb, J. Bentley, J. F. Pfunder, C. W. Hagensick, B. Martin, H. Zimmerman, C. L. Bright and J. L. Mack went over to Butte last Friday where they organized a lodge of the Independent Order of Odd Fellows, with twenty-one charter members. H. M. Uttley acting as deputy grand master had charge of the work.

Never since the booming days of '84 to '88 has there been so much lumber hauled out of O'Neill as there is this fall. Scarcely a day passes that there is not half dozen large loads taken out of the town. It may be the farmers in India creates the demand and it may be that Mark Hanna furnishes the money wherewith to purchase it, but we labor under the impression that it is an indication that the prosperity promised by the republican party has come, and has come to stay. Stand up for Nebraska; for republicanism and Holt county.

Stolen: Backward, turn backward, O time in your flight, make us all young again just for tonight. Let us forget that we ever were old; lived when old milk cows were butchered and sold; passed o'er the counter for a No. 1, bring me my gun mister, bring me my gun. Take us once more to the days of our youth, do it before I have lost every tooth; chewing up leather has shortened my years, darkened my pathway, bedewed it with tears. Shoot the "old heifer" and chop her in halves, mother of fifteen or twenty fine calves. Pitch the vile stuff in a deep burning lake, give us some steak, mister, give us some steak.

A western Kansas newspaper prints the following marriage tale: "Wilt thou take her for thy pard, for better or for worse, to have to fondly hold till hauled off in a hearse? Wilt thou let her have her way, consult her many wishes, make the fire every day and help her wash the dishes? Wilt thou give her all the 'stuff' her little purse will pack, buy a box and a muff, a little seal-skin saccie? Wilt thou comfort and support her father and her mother, Aunt Jemima, Uncle John, three sisters and a brother?" And his face grew pale and blank; it was to late to jilt; as through the door he sank, he sadly said, "I wilt."

"I can't see how any family lives without Chamberlain's Colic, Cholera and Diarrhoea Remedy," says J. R. Adams, a well known druggist of Geneva, Ala., in a letter inquiring the price of a dozen bottles, that he might not only have it for use in his own family, but supply it to his neighbors. The reason some people get along with out it is because they do not know its value, and what a vast amount of suffering it will save. Wherever it becomes known and used, it is recognized as a necessity, for it is the only remedy that can always be depended upon for bowel complaints, both for children and adults. For sale by P. C. Corrigan.

The concert at the rink last Saturday evening by Prof. Schubert, assisted by Miss Beas Huston and Miss Cella Rundquist was well attended and highly appreciated by all. Prof. Schubert is certainly a master of the piano, and the grand march of his own composition, was one of the sweetest things we have listened to for a long time. Miss Huston's singing was greatly enjoyed by all, especially "The Old Kentucky Home" which was sung with a pathos that touched the hearts of all present. Miss Rundquist is to be congratulated upon her proficiency on the violin. She has a natural talent in that direction, which has been well cultivated, and she is the best lady violinist we ever listened to. Taken as a whole the concert was a great success and the professor is to be congratulated upon the interest manifested in the success of his conservatory of music.

M'ALLISTER ACQUITTED

The Jury Decides After 9 Hours Deliberation.

SELF DEFENSE THE PLEA

Case Was Stubbornly Contested Throughout But the State's Principal Witnesses Were Missing.

After a trial lasting over a week, the jury in the case of the State of Nebraska vs William McAllister, charged with the killing of Frank Cole near Stuart last spring, returned a verdict of "not guilty" after about nine hours deliberation.

On Wednesday, October 6, the case of the State of Nebraska vs William McAllister was called. McAllister was duly arraigned and the information was read to him by County Attorney Butler, whereupon the defendant plead "not guilty."

County Attorney Butler and R. R. Dickson looked after the interests of the state, while M. F. Harrington, J. J. Harrington and C. E. Lear, of Keya Paha county, conducted the defense.

Considerable difficulty was encountered in securing a jury. The regular panel was exhausted and about seventy names examined before the jury was completed, which was Friday noon. The following is the jury selected: M. Keefe, J. S. Snyder, Dennis Handley, M. Hurley, W. Lackey, W. W. Beck, John Dierks, Carl Crocker, Patrick Murphy, William Sexton, H. W. Shaw and Theodore Lull.

After dinner Friday the state began the introduction of evidence which was about the same as that introduced at the coroner's inquest, which was published in THE FRONTIER last spring at the time of the killing. The defense set up the plea of "self defense" and introduced a couple of witnesses who swore that they saw Cole and Robinson, or one of them, shoot at McAllister before he (McAllister) shot at them.

The evidence was all in Tuesday noon and after dinner Attorney Butler made his plea for the state and the able manner in which he presented the case was a surprise to many and won for him golden opinions from those who heard him.

Then the defense had their innings. J. J. Harrington, C. E. Lear and M. F. Harrington appeared for their side of the case, and they of course done the best they could to make their client out a hero. They each made able addresses and clearly demonstrated that they had carefully studied the evidence and done the best they could to mysticate that part that was injurious to their client.

R. R. Dickson closed the case for the state and he went after a couple of the state witnesses barefooted and without gloves. He carefully dissected the evidence of the defence and in clear, concise and logical English presented to the jury the most potent evidence introduced by the prosecution. He made by far the best plea we have ever heard him make in any case.

The instructions of Judge Kinkaid were lengthy covering every possible phase of the case, giving the jury a clear understanding of the points of law involved leaving the questions of fact for their exclusive determination. We select the following as having the most bearing upon the points of law involved:

14—The jury are instructed by the court it is provided by our statute any person not an officer may, without a warrant, arrest any person, if a petit larceny or a felony has been committed and there is reasonable ground to believe the person arrested guilty of such offense, and may detain him until a legal warrant can be obtained.

15—The jury are instructed by the court it is provided by the statute of this state, if any person shall steal any goods or chattels or money of any kind of less value than thirty-five (\$35) dollars the property of another he shall be deemed guilty of petit larceny.

16—The jury are instructed by the court by our statute if any person shall in the night season willfully and maliciously and forcibly break and enter into any barn or stable with intent to steal property of any value or commit any felony every person so offending shall be deemed guilty of burglary and imprisoned in the penitentiary not more than ten nor less than one year.

17—The jury are instructed by the court any crime which is punishable by imprisonment amounts to a felony, so a burglary is a felony.

18—The jury are instructed by the court where a burglary has been committed by some person and chattels taken from the building broken into the owner of the building or of the chattels so taken or any other persons, either or both, may pursue such wrong doer for the purpose of arresting him, and may, without warrant, arrest such wrong doer or any other person, who though not guilty of such burglary, they may have reasonable or probable grounds to believe to be guilty thereof. In making such arrest for burglary, if such person cannot be taken in any other way his life may be taken for the purpose of

preventing his escape; but if such person may be taken without such extreme violence, and such pursuing parties kill him without this being necessary to prevent his escape and without acting in his or their proper self defense then such killing will be unlawful and amount to the crime of manslaughter at least.

19—The jury are instructed by the court where a felony or a petit larceny has been committed and the owners of the property thus taken they or other persons or both go in pursuit of the burglars or thieves if, when undertaking to arrest the person or persons actually guilty of the commission of either of such offenses, or any person whom they have reasonable or probable grounds to believe guilty thereof, if such person turns upon the pursuing party and fires off a gun at him or them, manifesting an intent to shoot such pursuing party, then the pursuing party may, on the ground of self defense, immediately return fire and shoot and kill such person so pursued, or attacking party.

20—The jury are instructed by the court when an arrest for a felony is being attempted by persons not officers, before such persons will be justified in shooting and killing the person to be arrested, for the sole purpose of preventing his escape, they should either properly notify him that it is their purpose to arrest him, or such person should in some manner know, understand, or have good reason to believe or infer from the situation that the purpose of the pursuing persons is to arrest him.

DISTRICT COURT.

District court convened in this city September 30, with Judge Kinkaid presiding. The following cases have been disposed of up to date:

Singer Manufacturing Co. vs Charles Connel. Plaintiff filed a motion for a new trial and same was granted and verdict rendered set aside.

County of Holt vs M. D. Long, dismissed.

G. T. Mullhan vs J. T. Prout. Dismissed without prejudice to future action at cost of plaintiff.

Charles E. Loomis vs Ann Gallagher, et al. Dismissed and costs taxed to plaintiff.

Jas. H. Pine vs Anna Pine. The prayer of the plaintiff was granted, he being granted a divorce and costs taxed to him.

Thayer County Bank vs H. B. Hudson, motion for a new trial overruled.

State of Nebraska vs J. H. Morgan, American Express Co. and F. E. & M. V. R. R. Co., charged with transporting chickens contrary to law. Morgan plead guilty to having in his possession two prairie chicken and quail. The plea was accepted by the state in satisfaction of the information and the defendant was fined \$15 and costs. The proceedings against the other defendants being dismissed, they never having been in custody and never having had a preliminary examination.

Quincy National Bank vs Lewis Radcliffe was a jury trial and they found that the bank had no cause for action.

NOW SILAS ARISE!

LINCOLN, NEB., Oct. 11 1897.

This week has developed some further startling facts in reference to Meserve's financial condition at McCook and in reference to the governor's knowledge when he approved the second Bartley bond that Bartley was already short in his accounts. At Omaha, during the progress of the trial against Bartley's bond, Frank Ransom, who is one of the attorneys for the bondsmen, who is a populist state senator from Omaha, and who is now state chairman of the so-called free silver republican state committee, openly charged and offered to prove that Bartley was already short when he commenced his second term and that Governor Holcomb knew it.

"A fraud was perpetrated," cried Ransom. "That fraud was perpetrated on the one hand by the governor of the state of Nebraska, and on the other hand by Joseph S. Bartley."

John H. Ames, who is on Bartley's second bond, but not on the first, defending himself before the court, said, "Has the state through its governor any more right to rob us than an individual has? When I was asked to sign that bond I hesitated. I had been for twelve weeks on a sick bed. I considered then that the governor had examined Bartley's books. I thought the governor an honorable man and an attorney. As he said nothing I thought Bartley had squared up and was an honest man. I signed, I was induced to sign by fraud."

Attorney Ransom, who is president pro tem of the populist state senate, who is chairman of the free silver republican state central committee, who was one of the chief manipulators in securing the nomination of Judge Sullivan, the fusion candidate for supreme judge, and who is now acting governor while the real governor is touring the south in a private car, and while the Lieut. Governor is carrying on a revival meeting down in Missouri; this Attorney Ransom, this fusion leader brought into court Deputy Treasurer Bartlett and offered to prove by him that he was present at a conference between Holcomb and Bartley wherein to Holcomb was made

known the fact that Bartley was already short in his accounts. But Attorney General Smyth objected to this proof being brought out. Smyth contended that even if the governor knew then that Bartley was short, this knowledge on the part of the governor would not release the bondsmen for liability. Ransom contended that the governor's knowledge that Bartley had already commenced his default, and the failure of the governor to count the money and to make known the true condition of Bartley's accounts was a fraud upon the new bondsmen as well as a fraud upon the taxpayers whose money was being taken.

All these developments have caused a profound sensation here at Lincoln, and have placed the governor alongside of Joe Bartley in the public eye just as was prophesied in these letters some weeks ago. The governor's connection with this matter, as well as with other matters not yet fully developed, has been known here at Lincoln, but the public has been slow to believe, for the reasons which I have before stated, that he was mild mannered and patronizing, pious and pretentious, and the general public had conceded from the start that he was a "good man, better than his party."

And now with this sensation that the governor was in complicity with Bartley, comes an additional sensation about Meserve, the present treasurer, that not only was his induction into the county treasurer's office at McCook a business plan between him and his creditors there, not only did he put up the same straw bond deal with the governor that Bartley had played so successfully, but it now comes to light, through an examination of the county records at McCook, that Meserve, in the space of about a year while he was county treasurer, was able to pay off \$24,000 of his debts, although his salary was only \$2,000 a year.

Where this indebtedness now rests could be shown if the governor would demand of Meserve a new bond and require of him a showing of his condition. It is hinted by populist officials at the state house, who are alarmed at the situation, that the governor on his return from the southern junket, in order to ward off suspicions, will order Metz, the investigator, to go through one of his perflavering performances and make a report on the state treasurer. It is further hinted that Meserve, who has been making some hurried trips to McCook lately will issue through the influence of his former creditors there some sort of pronouncement which will tide him over in the confidence of his party until after election. It's a tangled web, and the toils are tightening every hour.

Whether the governor on his return will demand of Meserve a new bond I cannot say, but in case he refuses, or attempts to soothe the public with one of his open letter explanations, either from himself, Meserve, or Metz, then there is a little cloud on the horizon of the populist sky, for there is a wheel within the wheels of the state house machine that is not moving in harmony and there is an official there who has been gossiped about and spit on by the gang until he is tired.

One of the state officers, while the sensation which occurred at the bond trial in Omaha was being read out loud to a group of bystanders, said, "The governor must explain this. We can't stand it." And then there followed a conference among some of the officials at which it was discussed that the governor should be called upon to clear up the charges made by Senator Ransom and to take some steps towards putting the affairs of state treasurer Meserve on a safer basis before the public. It begins to dawn on the populist officials that the governor's connection with these straw bonds is a serious matter. Heretofore Edmundson and the populist officers have appeared to be utterly indifferent as to criticism. They seemed to have considered that their place in the confidence of the public was absolutely secure. Bartley's defalcation was the cloud behind which all populist deformity could hide from public view.

Bear in mind that when Senator Ransom made this sweeping charge against the governor, he was at that very moment acting governor of the state, for Governor Holcomb and Lieut. Governor Harris were both out of the state, and Ransom, as pro tem. of the senate was the acting governor. Here then is Acting Governor Ransom charging in open court that Governor Holcomb was knowing to Bartley's shortage at the time he was approving his second bond, and that such innocent sureties as John H. Ames were induced to sign the bond by the fraudulent pretense of the governor that he had examined the treasurer as provided by law and that it was in sound condition. As I close this letter I learn that an informal meeting was held today at the state house, of the populist officials there, at which it was decided to urge upon the governor and if possible force upon him prompt action as soon as he returns from his southern junket.

J. W. JOHNSON.