

THE FRONTIER.

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LONG LITIGATION ENDED

McCarthy-Squires Cases Reversed On Rehearing by Supreme Court.

SQUIRES RETAINS TITLE TO LAND

Final Settlement of Long Contested Tax Foreclosure Case.—Costs Assessed to Plaintiff.

The supreme court in a recent decision sets aside the sheriff's deed and annuls the tax foreclosure proceedings on a tract of Holt county land in one of the somewhat celebrated land cases that were numerous in this county a few years ago and which was at one time a political issue in the county.

The case is that of Manilius Squires vs. M. H. McCarthy. The recent decision is on a rehearing of the case in the supreme court and after a somewhat lengthy legal battle Squires wins out legal title to the land in question.

Squires, who is a resident of Wisconsin, owned a tract of land in this county. The taxes became delinquent for the years 1897, 1898 and 1899. Before a tax sale had been had by the county treasurer, H. R. Henry being then treasurer, Holt county, through its county attorney, brought an action to foreclose an alleged tax lien on the land. This action proceeded to decree and sheriff's deed.

"After the sale and before the confirmation," says the opinion of the supreme, "the plaintiff in ignorance of these facts paid to the county treasurer the full amount of the taxes and interest charged against the land. The treasurer accepted the money and issued receipts in due form therefore without notifying the plaintiff (Squires) of the pendency of the action, which was prematurely brought. Held: That the acceptance of the money by the county treasurer and the issuance of the tax receipts operated as a satisfaction of the decree as far as the plaintiff is concerned, and that he is entitled to have the sheriff's deed set aside in equity, the land being still in the hands of the original purchaser.

"In such case, the loss, if any, is attributable to the negligence of the county treasurer and the wrongful act of the lien in attempting to foreclose its lien before its right to do so legally accrued, not to the failure of the taxpayer who was within his legal right and should be protected."

The opinion, a copy of which was received by Squires' attorney, R. R. Dickson, a few days ago, is quite lengthy and goes into the details of the case, which is remanded with directions that the district court enter a decree quieting the title to the land in the plaintiff. The plaintiff is also required to reimburse McCarthy the amount of the purchase money paid for the land with interest and the costs of the suit in district court.

Thread Goes Up.

"What I haven't been able to figure out yet," remarked a local merchant recently, "is how we are going to continue to sell thread at 5 cents a spool and come out on it. The wholesalers have just raised the price on Coates thread to 6 1/2 cents a dozen spools. You see at that rate there is a clear loss of 7 cents to us when we sell a dozen spools at 5 cents each, not counting the transportation charges. The only way I see for the merchant to come out whole on thread is to raise the price to 6 cents a spool."

Local merchants generally say that prices on all lines of dry goods and groceries keep moving upward although they have not advanced the price to meet the rise in the wholesale prices on lines that for years have sold at a uniform price. They say they simply have to sell the goods at the old price and make less or nothing at all on them as customers would object seriously to a cent or two raise on the small items they had bought for years at one price.

County Attorney Whelan went to Lincoln Monday to attend a session of the supreme court in behalf of the county in a suit over a tract of land adjacent to Atkinson, consisting of thirty and one-half acres which is a part of the Joseph S. Bartley homestead. The county claims the property under an execution sale. Bartley was one of Barrett Scott's bondsmen and a judgment was obtained against him and the land in question sold under execution of the judgment to the county for something like \$600, which amount was credited on the judgment. Later Bartley deeded the property to H. A. Allen, and the suit is to determine whether the county or Mr. Allen is entitled to the property.

Plenty of millet seed for all.—Con Keys.

FIVE YEARS FOR SKIDMORE

Westover Imposes Heavy Penalty for Hog Stealing.

District court adjourned Monday until Saturday, Judge Harrington taking the bench Monday long enough to act upon the case of John Dibble who was sent up from the county court on the charge of receiving stolen property. Judge Harrington placed Dibble under \$1,000 bonds to appear at the next term of district court for trial. J. A. Phillips and Peter Niter were approved as sureties.

Judge Westover re-convened court on Friday morning of last week after the memorial day recess. Two minor suits were tried. The plaintiff obtained a verdict in the suit of Walrath & Sherwood Lumber Co. vs. Wm. Bokhof, a suit on account. The jury returned a verdict for defendant in the case of Deck vs. Bennett. Saturday, Judge Westover sentenced Joseph Skidmore, convicted of stealing nine head of hogs, to five years in the penitentiary. Upon adjournment of court Monday the jury was discharged.

The Good Old Days.

John Enright, one of the old-time and prosperous farmers of Grattan township, handed us \$1.50 the first of the week and ordered the old reliable sent to him the coming year. Mr. Enright has been a resident of Holt county since 1876, when he came here from Illinois and settled upon the quarter section of prairie land, four miles north of O'Neill, where he still lives. He was here in the good old days when every settler was willing to divide his last side of bacon or his last sack of flour; when plowing bees and husking bees—to help out some unfortunate neighbor—were the rule and not the exception. He was with the wood-hauling caravans when teams would leave the settlement shortly after midnight and be on the banks of the Niobrara river at sunrise, cut and load your wood and start for home getting back sometime before sunrise the next morning, rest up for a day then make another trip. These were great times in old Holt and the writer who made many of the trips cannot think of any member of the old caravan whom father time has dealt more leniently with than John Enright. To us he looks no older than he did the first time we seen him thirty years ago. While he has no use for our politics—John being a simon pure democrat—he says he wants to keep posted on the affairs politically and otherwise and for that reason for the first time during his residence in the county has his name enrolled upon The Frontier's list of readers and we hope he remains a member of our family circle for years to come.

Tip to Young Husbands.

The younger man had been complaining that he could not get his wife to mend his clothes.

"I asked her to sew a button on this vest last night, and she hasn't touched it," he said. At this the older man assumed the air of a patriarch.

"Never ask a woman to mend anything," he said. "You haven't been married very long, and I think I can give you some serviceable suggestions. When I want a shirt mended I take it to my wife, flourish it around a little and say, 'Where's that rag-bag?'"

"What do you want with the rag-bag?" asks my wife. Her suspicions are roused at once.

"I want to throw this shirt away; it's worn out," I say, with a few more flourishes.

"Let me see that shirt," my wife then says. "Now, John, hand it to me at once."

"Of course, I hand it over, and she examines it. "Why, John Taylor," she is sure to say, "I never knew such extravagance! This is a perfectly good shirt. All it needs is—'" And then she mends it."

Sunday School Convention.

There will be a district Sunday school convention at the Leonie church, Marquette Chapel, on Wednesday, June 12, 1907.

Forenoon services will begin at 10 o'clock a. m., and afternoon services at 1:30 p. m. Come and bring your dinner and stay all day.

H. R. Henry, Vice-Pres.

Notice.

The telephone in the postoffice is not for the use of citizens in town to enquire concerning their mail and calls of this nature can not be answered.

The telephone is for out of town and long distance connections. Patrons of the office in town will please bear this in mind and not use the telephone inquiring for mail.

R. J. Marsh, Postmaster.

A. Knapp and family of Seattle, Wash., arrived in the city last week and are visiting the home of his father, A. W. Knapp, east of town.

IMPOUNDING ORDINANCE

City Authorities After Roaming Bands of Live Stock.

GOLDEN WANTS LOTS DETACHED

Desires Large Tract of Land Near the Chicory Factory Set Off From the City Limits.

At the meeting of the city council Monday evening the matter of live stock running at large in town came in for a good share of the discussion of that honorable body. An ordinance, which appears in full in another department of this issue, was adopted relative to the subject and C. A. Moore appointed as poundmaster.

The treasurer's monthly report showed a balance of \$1,171.46 in the general fund and \$661.68 in the water fund, while the water bond fund showed an overdraft of \$1,159.70. A transfer of enough from the two other funds was made to cover the overdraft.

T. V. Golden appeared before the council to have a large tract of land in Mathews' addition in the vicinity of the chicory factory set off from the city. Mr. Golden had already commenced suit in the district court for this purpose and desired the consent of the council to eliminate a fight in court. No action was taken on Mr. Golden's request although it is understood some of the councilmen are opposed to it. The council adjourned to meet Saturday morning when perhaps some action will be taken one way or the other. The application of George Sweeney for liquor license will also be acted upon at this meeting.

The Markets

South Omaha, June, 5.—Special market letter from Nye Schneider Fowler Co.

The nice gain in prices of the past week has been well maintained up to this writing with indications that receipts may become heavy enough to check the advance and possibly fetch a little backset but we do not expect to see prices decline only temporarily if at all. There is a fair demand from outside buyers for cows and heifers and commission men are likely to win out in the inspection fight we think. Many butchers from interior points have placed orders for cows and heifers at this market expecting to buy them at much lower prices but have not been able to get them. Stockers and feeders keep firm.

Prices will range as follows—
Choice steers.....\$5 60@6 25
Fair to good.....5 10@5 50
Common down to.....4 50
Cows and heifers.....3 75@4 75
Fair to good.....3 00@3 60
Canners & cutters.....1 00@3 00
Veal calves.....3 50@5 75
Bulls.....4 00@5 50
Good to choice feeders.....4 25@4 90
Fair to good grades.....3 65@4 20
Stock steers.....3 75@4 75
Stock heifers.....3 00@3 50

Hog prices have made another 15 to 20 cents advance but the market is now easing off again and we look for lower prices. Range \$5.90 to \$6.15.

Sheep and lambs have made a new high record for the season, lambs \$8.75 ewes \$6.30. Receipts light.

The class of 1907, of the O'Neill High School, passed forth into the world last Friday evening as full-fledged graduates, having completed the twelve year course of the O'Neill schools. The class this year was composed of but two members, Ben H. Woodruff and John P. McCarthy, but the excellent standing of both graduates throughout the entire high school course makes up in a measure for the smallness of the class. Appropriate services were rendered at the rink, the address to the graduates being delivered by A. O. Thomas, president of the Kearney State Normal school and it is claimed to have been a splendid effort.

Sioux City Tribune, June 5: Chas. Barrett and Miss Cella Brady, of Sioux City, were married yesterday in the Catholic church at Jackson, Nebr., Rev. T. J. McCarthy, of Sioux City, officiating. Mr. Barrett is a printer for the Tolerton & Warfield company, and his bride is secretary and treasurer of the Sioux City Crockery company.

I will offer for sale for a limited time all my household goods, including piano, one mahogany bed room suite with brass bed, one birdseye maple bed room suite with iron bed, one sectional book case, etc. This is all high grade furniture and is in first class condition. Parties desiring bargains in furniture and rugs will do well to call at once.—S. J. Weekes. 48-tf

Wedding announcements and invitations furnished in the latest styles at this office.

FOUR PEOPLE DROWN WHILE BOATING ON WUNDER'S LAKE

Four persons were drowned at Wunder's lake eight miles southeast of Page at about noon Wednesday as the result of a small row boat being overloaded and capsizing. The dead are:

CLINTON SAMSON, age forty-four years.
MORRIS SAMPSON, age twenty months.
MRS. BLANCHE TRACY, age thirty years.
MISS ALICE DRUM, age twenty years.

They all lived in the neighborhood four miles northeast of Page, and were members of a party of some forty persons who had gone to the lake for a day's outing. Five grown people and the baby were in the boat when it capsized. They were Mr. and Mrs. Samson and their baby, Mr. and Mrs. H. V. Tracy and Miss Drum. They had just pushed off from the shore and were out only about twenty feet when the end of the boat in which Mr. Sampson and Mr. Tracy sat tipped to the water's edge and quickly filled with water. Mrs. Samson and Mr. Tracy were rescued with fish poles by those on the bank.

Story of the Drowning.

The tragic and pathetic ending of a pleasure party that cost the lives of four persons has rent the community of Page and wrung the hearts of many to the bitter dregs of grief. The homes of the dead were shrouded in the shadows of death's gloom last evening where all was happiness in the morning in expectancy of a day of pleasure away from household cares and labors of the farm.

A Frontier representative, in company with Coroner P. J. Flynn, Undertakers O. F. and Frank Biglin and Judge Malone, went to Page on the Great Northern freight last evening and out to the Drum and Samson homes four miles northeast from town. The undertakers took charge of the remains, embalming the bodies. The coroner had Deputy Sheriff Hunter call a jury to view the remains and examine witnesses. The jury was composed of H. A. Trobridge, C. A. Townsend, R. A. Sargent, J. A. Candee, A. Palmer and John Kohl. It was found the drowning was purely accidental. The lake where the drowning occurred

is in the vicinity of Ewing and is a popular fishing resort to which fishing excursions are frequently made by those living in the east end of the county. A party of some forty persons was made up in the neighborhood northeast of Page Wednesday morning to spend the day at the lake. A small row boat was a part of the equipment. Assembling at the lake, the party dispersed in all directions along the bank to cast out their fish lines. Toward noon Mr. and Mrs. Tracy, Mr. and Mrs. Sampson, with their baby, and Miss Drum got into the boat and started out on the lake. Twenty feet out the boat capsized in eighteen feet of water. The other men of the party were some distance away and but little assistance could be given those in the water. Some women of the party were nearby and they made heroic efforts to save the drowning. Orvil Vanconett was the only man anywhere near and he ran to the rescue. Mr. Tracy and Mrs. Samson were gotten out by grasping fish poles which were extended to them by those on the bank, while the companion of each, the little babe and

Miss Drum went down in a wild struggle to reach shore. Samson is said to have been a good swimmer, but in his efforts to save his child and the others was drawn down.

The bodies were all recovered shortly after they sank by means of hooks and lines. A doctor was called out from Ewing. The bodies were worked with for over two hours with hopes that they might be resuscitated, but to no avail. The lifeless forms were then conveyed homeward by those who had started out in the morning with happy prospects, now with bowed heads and sorrowful hearts.

The bodies of Mrs. Tracy and Miss Drum were taken to the home of the young woman's parents, Mr. and Mrs. Amos Drum, who were also with the party at the lake. Mrs. Tracy's husband is a brother of Mrs. Drum. She leaves two small children, age eight and two years, beside her husband who narrowly escaped a like fate. The Tracy and Drum families are both old citizens of the community. The funeral for Mrs. Tracy and Miss Drum is expected to be held Friday at Page.

The bodies of Mr. Samson and baby were taken to their home a half mile distant from the Drum place. The father and son stretched for the bier in the place where they had froliced together made a pathetic scene. Mr. Samson had lived in the community for about three years, we were told, coming there from Tecumseh. The remains may be sent there for burial. He was a member of the Workmen lodge. He leaves his wife, who came near drowning with him, and two children, six and four years.

The hearts of all were touched with the pathos of the scene in visiting these homes made desolate so suddenly and unexpectedly—homes where now even the large measure of neighborly sympathy being manifest seems but empty mockery to the wounded and bleeding hearts.

The Frontier has chattel mortgages.

AS TO "SHE" CATTLE.

Diseased Kind Come From Unsatisfactory Yards.

Chicago, May 31.—The executive committee of the American Meat Packers' association, whose members embrace 275 large and small packers in twenty-nine states, met here today and unanimously adopted a resolution asking all inspected slaughtering establishments to buy cows and other "she" cattle subject to post-mortem inspection by the United States government: The request was made that immediate effect be given the resolution.

Secretary George L. McCarthy of the association said: "The diseased cows to which we object come from dirty, filthy farms and it naturally follows that the dairy herds from which most of them come are diseased. The danger to the public by consuming milk and other dairy products from the tubercular cows and cows suffering from other diseases would be appalling if it were generally known. The farmers who are responsible for this condition of affairs have no incentive to keep their farms clean and their herds free from disease so long as they are paid full value for diseased animals sent to the market for slaughter, but when cattle are bought subject to inspection after death every farmer who has been criminally negligent will immediately clean up his place and take measures to keep disease out of his herd."

Miss Laura Fields, who had taught the primary department of the public schools here for the past two years, departed Saturday last for Crete. Miss Fields is an exceptionally competent teacher in primary and kindergarten work and greatly endeared herself to all the little ones under her care. That she will not teach here another year is much regretted.

Young friends of Gerald LaViolette to the number of a score and a half gave him a surprise party Wednesday night of last week. It was the occasion of much joy to the little folks who took their young host completely by surprise. The evening was spent at games of various kinds.

The Ainsworth Star-Journal says the "ninety-four-year-old" recently departed that town in the same manner as he did here, which is taken to indicate that the O'Neill "horse ranch" victims are not the only ones.

Hogs were worth \$5.65 on the local market yesterday. Over two car loads were on the market.

A Novel Competition.

The Commercial club of Portland, Oregon has adopted a unique method of attracting attention to that city and the Pacific northwest. It is offering a series of prizes amounting in the aggregate to five thousand dollars in cash for the best articles treating of any phase of the resources, scenery, irrigation projects, agriculture, horticulture, timber, dairying, history, educational and religious advantages, social conditions, etc., which make that section of the United States desirable to settlers.

One of the conditions of the competition is that the contestant must secure the publication of his article in a regular edition of some newspaper or other publication dated on or before December 31st, 1907, and printed outside of the states of Oregon and Washington. The publication containing the article must be in the hands of the judges, who are to be appointed by the governor of Oregon, not later than February 1st, 1908.

This offer is a novel one and especially interesting as indicating the aggressive spirit of the cities of the northwest in exploiting their advantages. The offer is made, however, not so much with a view of having the country "boomed" in the common acceptance of that term, as to have the people of the country generally become more familiar with the north Pacific coast.

At the M. E. church, June 9th. 10 a. m. class meeting, 10:30 a. m. sermon Topic, "The Atonement in Christ," Heb. 9. 13-14, 11:30 a. m. Sunday school, 7 p. m. Epworth League, 8 p. m., Sermon, Topic, "Saul the King of Israel," 1 Sam 10.24.

For first-class printing see The Frontier.

A copy of the Kirkland-Redmond Sun, published at Kirkland, Wash., in the vicinity of Seattle, is at hand, and probably comes from our old friend, A. B. Newell, who we see is president of the Redmond commercial club.

Taken Up—At my farm ten miles northeast of O'Neill, three head of cattle, on Monday, May 20. Owner can have same by proving property and paying all expenses.—M. Patrick Regan. 49-tf

Henry Scafe and daughter, Miss Ethel, of Amelia, were Great Northern passengers for Storm Lake, Iowa, this morning, where they go on a visit. They were over night guests of Mr. and Mrs. J. H. Meredith.

Taken Up—At my farm 3 miles from Eagle mills, one two year old heifer, red and white, branded on right hip, about March 10th. Owner can have same by paying all expenses.—M. Miller. 50-3pd.

Lost—About May 10, 1907, one black sow, weight about 200 pounds, one front foot white and one white hind foot. Send information concerning same to Joseph Schneider, O'Neill, Neb. 50-1

James LaViolette departed this morning for St. Paul, where he will spend a day or two with his brothers before going to Superior, where he expects to remain.

The drama, "Fabiola," given last night by convent students, is spoken of very highly by those who attended it. It was patronized by an over-flow audience.

For Sale—The southeast quarter of section 34, township 31, range 11. Ad. dress O 126 south 4th street, Norfolk, Nebraska. 46-tf

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