

The Frontier

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Constitutional Question May Arise

Wichita Eagle: What at first glance looks like a remarkable step in the direction of enforcement of the prohibitory law in states where such a law is on the statute books was taken this week when both houses of congress passed a bill providing for the preventing of liquor shipments into "dry" states.

Opponents of the measure, however, and they are probably more numerous in the "dry" states than anywhere else, feel little apprehension of having their supplies interfered with. They assert, and the friends of the bill cannot but admit that they are probably right, that the supreme court will declare the measure unconstitutional at the first opportunity. No one doubts that this opportunity will be given at an early date.

It will be held, it is predicted, that the national government cannot pass an act of any sort which will prevent part of its citizens from enjoying the privileges enjoyed by others. Thus it will be held unconstitutional to prohibit liquor being shipped to one person and allowing it to be shipped to another.

On the other hand, the prohibition states cannot protect themselves, or be given the power to do so by congress. No state can have the constitutional right to, in any way interfere with or control interstate commerce.

So there we are! There may come a time when a strong enough majority of the people of the United States really want prohibition to be enforced, and right soon after that something is likely to be done. But just at present it looks very much like anyone who wants "A drap o' the crayther" now and then will be able to supply himself, whether he lives in Kansas or Kentucky.

Reform the Lawyers.

In this day of plentiful reform movements some suggestions might be entertained along the line of court proceedings. The theory of the institution that courts are places where every citizen may be protected in his rights and justice shown without regard to social or financial standing is in many instances a mere theory. Instead of having the protection of the law litigants in court are not infrequently subjected to shameful insult and personal abuse at the hands of attorneys, who seem to have unlimited license in scandalizing anyone whom they happen to be opposing in a law suit.

Lawyers are responsible for much of the suspicion and lack of confidence felt by the general public toward the courts of law. Self-respecting people are coming to feel they would rather sustain loss and endure a wrong rather than go into court to be insulted and scandalized by attorneys.

Judges, with perhaps now and then an exception, desire to interpret the law fairly and conscientiously and impart justice to all alike. Their courts would be raised very materially in public esteem, however, if lawyers were compelled to treat litigants with proper respect and try their suits according to the law and the evidence.

People of this community are wondering why so many imported lawsuits are brought to this county. Tax payers feel that they are being imposed upon by having to bear the cost of trial of imported damage suits that ought to be tried where the damage was sustained. Not only are suits brought here from other counties of the state but from other states as well. Under the law this is allowable if any party to the action does business or has an agency within the county. Most damage suits involve bonding companies or railroad corporations; this gives attorneys liberty to bring suits into any county that may suit their fancy, as railroads and bonding companies do business all over the state. Holt county has to stand the expense

of many of these suits. The law as it now stands is for the convenience and benefit of lawyers. In justice to the taxpayers, it should be changed so damage suits must be tried where the plaintiff resides or where injury was sustained.

THE LEGISLATURE.

What's Being Done by the State Law Making Body at the Capital.

Lincoln Feb. 17.—Gov. Morehead signed the first bill presented to him this session other than the appropriation bills carrying the salaries and expenses of this session. This bill is the most voluminous enactment which has passed the Nebraska legislature in a third of a century, it being the report of the codification committee empowered by the last session to recodify the statute law of Nebraska. The work of this committee comprises a book as large as the present compiled statutes as it embraces the civil and criminal codes and the general laws of the state.

The two questions confronting this session, University removal and a movement for a constitutional convention were considered briefly by the house during the past week, and the house made both of them a special order of business for February 20.

The senate during the past week has been unusually active. On Tuesday eighteen bills received the final approval of the senate, among which were the following: S. F. 150, by Cordeal, Supt. of Public Instruction to approve plans for school houses; 146 by Reynolds, permitting a total school levy of 35 mills; 156 by Reynolds, raising witness fees from \$2 to \$3 per day; 94 by Placek, a pure cloth bill affecting cotton, linen, woolen and silks, to be stamped with the legend describing the exact materials used in manufacture; 116 by Robertson, providing that county boards may provide for the keep of pauper children at their homes by payment to the parents; 99 by Placek, a pure iron and steel bill, requiring the stamping on articles the exact amount of impurities contained therein; 81 by Talcott, ratifying the amendment to the Federal constitution for the election of United States senators by direct vote; 46 by Saunders, for the protection of nursery stock by inspection; 192 by Heasty, poll tax may be paid either in work or in cash; 165 by Klein, regulating the voting by aliens, who must secure final citizenship within a prescribed time, or forfeit the right to vote; 168 by Dodge, permitting the use of school houses for public meetings other than of a political character; 45 by Bushee, for the protection of fish in irrigation ditches, by screening the outflow channels; 163 by Wink, exempt land used for road and public purposes from taxation; 139 by Kemp, penalty for embezzling funds of a labor organization; 14 by Hoagland of Lincoln county, providing for an assistant state engineer; also another measure by the same senator, providing that criminal verdicts shall not be reversed because of certain technical errors alleged in the trial. Also S. F. 62 by the same author revising the rules of evidence in damage cases against common carriers; 128 by West, a new list of sheriff's fees; 149 by Heasty, a constitutional amendment permitting statutory law to regulate appeals to the supreme court; 179 by Hoagland of Lincoln county, extends the jail term for persons convicted of boot legging; also S. F. 124 by Bushee, providing state aid for weak school districts. This bill provides for seven months school, will affect some 480 districts scattered over 45 counties of Nebraska, and having in attendance in round numbers 9000 pupils.

The senate during the week recommended for passage S. F. 106 by Kemp, providing for a constitutional convention for the building of a complete new constitution for the state. Also S. F. 118 by Spirk, prohibiting the sale of fire arm to minors under 18 years of age. The bills defining the duties of the new board of control, created by the constitutional amendment recently adopted, were the occasion of spirited debate in the senate during the week. A special committee of the senate composed of Cordeal, Dodge and Wink, were

selected to take all the various measurers on this subject and report a bill to the senate. This they have done and the matter is now pending on the senate file. One notable item in the new bill is that it entirely omits a provision carried in the bill originally presented by Senator Ollis, which prohibited the appointment to the board of control of any citizen who was a resident of a county in which a state institution in charge of this board was located.

The senate killed by indefinite postponement, a law to garnishee a portion of the wages of the head of a family for debt; a bill regulating the matter of surety bonds between railroads and their employees; a bill for a resurvey of any section of a county when demanded by a proper petition; a bill by Grace of Harlan, making it impossible to collect for a newspaper sent to a subscriber for a longer term than the subscriber had requested; a bill to forfeit the grant to irrigations companies who failed to begin work within six months following the original application.

The senate has recommended for passage S. F. 120 by Bushee, providing penalties for the fraudulent advertising of merchandise.

On Wednesday, six bills were given final approval by the house, among them H. R. 14 by Fries, providing for the marking of both boundaries of country roads by monuments of concrete, iron, stone, or surveyor's stakes; 142 by Greenwalt, providing a commission form of government for cities of from 2000 to 5000 population; 40 by Hardin, repealing the mortgage tax law passed by the last session; 59 by Keckley, providing a civil service rule with examinations for all state institutions under the state board of control; 51 by Richardson, making it a felony to introduce dope, intoxicating liquors, etc., into the penitentiary; 92 by Norton, a constitutional amendment providing the legislature with power to exempt any property from taxation or to levy taxes unequally on various classes of property. On Abraham Lincoln's birthday, Feb. 12, the house approved for passage a bill making Lincoln's birthday a public holiday in the state. During this date, both houses and senate adjourned for a time to the Lincoln Monument on the State House grounds and were there photographed. The house has recommended for passage 210 by Palmer, a proposed constitution amendment raising the salary of the governor and attorney general, the governor to \$5000 per annum, lengthening his term to four years, and making him ineligible for reelection. The house also passed H. R. 65 by McKisseck, amending the disposition of inheritance taxes that they may be devoted to the building of dirt roads; 21 by Fuller, for the physical connection of telephone line; 171 by VanDusen, requiring inspection of nursery stock; 57 by Regan, requiring a conductor on a light engine passing over a division; 191 by Hardin, more closely defining embezzlement, and 353, an appropriation of \$50,000 deficiency for the penitentiary. To show that it did not intend to pass every measure submitted for its consideration, the house killed by indefinite postponement the following bills—H. R. 243 by Smith, requiring all physicians prescriptions to be written entirely in the English language; 58 by Regan, the train men's bill requiring a train auditor on passenger trains; also a bill giving the state banking board authority to restrict the number of state banks in any locality by authorizing the board to refuse a charter to a new bank where, in the board's judgment, the banking business was already sufficiently represented.

HELVEY NEWS BUREAU.

Kola Items

Node Benjamin had business in Chambers Saturday.

F. D. Burkert and wife went to Chambers Saturday.

Miss Florence McCreath visited in Chambers Saturday.

Mr. Howarth of Randolph, visited his son J. V. last week.

Mr. and Mrs. J. Pfund spent Sunday with Norm Whinery and family.

Miss Jerome Maring and



should have rich, red blood and sturdy, healthy bodies to withstand cold rains, changing seasons and winter storms.

If your child is weary when rising—lacks energy and ambition—has no appetite or possibly sallow skin or a pinched face—it is for want of vital body-nourishment; this growing period demands special, concentrated, easily digested food for body-development—mental strain—physical changes.

Scott's Emulsion is the greatest body-builder known—it is nature's wholesome strength-maker—without alcohol or stimulant—**makes rosy cheeks, active blood, sturdy frames and sound bodies.**

But you must have **SCOTT'S**.
SCOTT & BOWNE, Bloomfield, N. J. 12-62

Andrew Brown of Emmet were callers at Kola Monday evening.

Miss Louise Pfund gave a card party at her homestead Friday evening. Carrie McEvony and Ervin Kellogge carrying off the prizes.

Mr House and family of Gracie passed through Kola last week on their way to Creighton to visit with Mrs. House's mother, who resides there.

Inman Items.

R. F. Miner purchased a fine new auto this week.

Daniel O'Donnel spend Sunday visiting in O'Neill.

Mick and Coney Colman had business in Page Friday.

Eugene Goodspeed and Leo Souvignier were O'Neill visitors Friday.

C. P. Hancock and little son Charles were Inman visitors last Sunday.

Miss Etta Morehouse went to O'Neill Friday to visit with relatives.

Misses Sylvia Wilcox and Anna Colman were in O'Neill Friday, on business.

Mr. and Mrs. Herbert Derby of O'Neill visited with relatives in Inman Sunday.

Misses Fay and Amy Goree were O'Neill visitors last Saturday and Sunday.

Dr E. T. Wilson of O'Neill spent Sunday visiting with C. J. Malone and family.

Mr. and Mrs George Klinetobe and children of O'Neill were Inman visitors Sunday.

George Souvignier went to Battlecreek last Monday on business, returning the same day.

Mr. and Jim Auten of Albion are visiting at the home of Mr. and Mrs. William Kelley this week.

Mrs. Clarence Conger who spent the past six weeks visiting relatives in Florida, returned home Sunday.

Miss Margaret Siedy, who is teaching school at Bliss, spent Saturday and Sunday with relatives here.

Mr. and Mrs. Hebe Asher of Page visited at the home of her parents Mr. and Mrs. N. J. VanEvery last Tuesday.

Supervisors Proceedings.

O'Neill, Neb., Jan 14, 1913, 3 o'clock p. m.
Board of Supervisors office, O'Neill, Neb.

Board called to order by the county clerk, members present, M. P. Sullivan Th D Sievers, H W Tomlinson, Chas A Fauquier, F O Hammerberg, J O Hubbell and D M Stuart. Clerk appointed Tomlinson and Hubbell as committee on credentials reported bonds approved.

Board proceeded to elect a chairman. county clerk appointed Sullivan and Hubbell as tellers. Result of votes was as follows: Sievers 6; Sullivan 1. Sievers received the largest

number of votes was elected. On motion board adjourned until 9 o'clock tomorrow morning to give the chairman elect time to appoint his committee. S F McNichols, Co Clerk Th D Sievers, Chairman

O'Neill, Neb., Jan 15, 1913, 9 o'clock a. m.

Board met all members present except Stuart.

Mr. Chairman: I move that we adopt Roberts rule of order to govern this board for the 1913.

Motion carried. C A Fauquier M P Sullivan

Minutes of last meeting was read and approved. The following is the committee appointed by the chairman Court house, jail and legal expense, Tomlinson, Hammerberg, Fauquier. Printing and supplies, Sullivan, Hubbell and Stuart. Finance and official bonds, Hammerberg, Tomlinson, and Sullivan. Tax and tax titles, Stuart Sullivan and Hubbell. Claims, Fauquier and entire board. Board took up the matter of approving official bonds. On motion the following bonds were approved. M P Savidge, overseer of highways; J S Noble, overseer of highways; J H Carney, overseer of highways; Gus Schrier, township clerk; Nichols O'Connell, township treasurer; T. V. Atkinson, township treasurer; A. W. Good township clerk; F P Hunter, township treasurer; W B Auganbright township treasurer.

On motion J O Hubbell and M P Sullivan was appointed as a committee to settle with a soldiers relief committee. Following is report of committee.

Mr. Chairman: Your committee on settlement with C Bohme members of the old soldiers relief commission find after examination of all the receipts and vouchers the following report to be correct.

Amount received from Co treasurer \$350.00
Amount paid out per voucher. 223.27
Balance on hand Jan 14 1912. 26.72

M P Sullivan
J O Hubbell.

Mr. Chairman: Your committee on settlement with E G Lambert members of soldiers relief after examining all receipts and vouchers report as follows:

Amount on hand Jan 6 1912. \$86.30
Rec from Co tres 1912. 200.00
Paid out per rec 1912. 273.00
Bal on hand Jan 14, 1913. 13.00

M P Sullivan
J O Hubbell

Mr. Chairman: Your committee on settlement with L S Butler, member of the soldiers relief commission find the following report correct.

Bal on hand last settlement. \$237
Amt drawn from tres 1912. 100
Amt paid out as per receipt. 156
Leaving bal on hand of. 181

M P Sullivan
J O Hubbell

On motion report of committee was accepted.

Mr. Chairman: I move that L G Lambert be appointed as a member of the soldiers relief commissioner for three years.

C A Fauquier
J O Hubbell

Motion carried.

Mr. Chairman: I move that the Co clerk be and hereby is instructed to issue a warrant for ten dollars to D D Price, State Engineer for plans and specifications for steel and concrete bridge, which was adopted by the board.

H W Tomlinson.
M P Sullivan

Motion carried.

On motion board adjourned until 1 o'clock, p m

S F McNichols, Co Clerk
Th D Sievers, Chairman

O'Neill, Neb. Jan. 15, 1913, 1 o'clock p. m.

Board met all members present. Mr. Chairman: Whereas on Jan 2, 1913 the board of supervisors denied the prayer of the petition of Mary A. Dwyer for refund on an erroneous tax sale on the southwest quarter of 20-14 in Holt county, and whereas on Dec. 10, 1912 granted the prayer of the petitioner of Ambrose M. Holmes to

have said described land exempt from taxes for the reason the same was government land for the years 1889, 1890 and 1891, therefore after obtaining more information in regards to the petition of Mary A. Dwyer I move that the action of this board be rescinded. Motion carried.—M. P. Sullivan, J. O. Hubbell.

To the Honorable Board of Supervisors: Your petitioner, Mary A. Dwyer, respectfully shows to your honorable body that she is the owner and holder of an illegal tax title upon the southwest quarter of section 28, township 28 north, of range 14 west of the 6th P. M., in Holt county, Nebraska, covering taxes for the years 1889, 1890, and 1891. Your petitioner states that said land was not taxable for any of the above described years; wherefore your petitioner prays that you instruct the county treasurer and refund to her the amount paid on said erroneous tax sale and tax deed.—Mary A. Dwyer, by A. J. Hammond, agent.

Upon motion prayer of petitioner was granted.

Nebraska City Neb, Sept. 2, 1912. The Honorable Board of Commissioners. O'Neill, Nebraska.

Gentlemen: I hereby petition your honorable board to make order to the county clerk to cancel the valuation as placed against the S.W. 1/4 sec 34-29-9. And to place a valuation of \$3550. Such property. A valuation of \$710 tax value.

The valuation of \$3550 being the amount of the mortgage as given to Mrs. Laura Schultz and under the law she is to pay such taxes on such mortgages as part of the land. The valuation of \$3550 also being a greater valuation than placed by the precinct assessor, on said land, therefore you loose no valuation, in fact you make a gain of valuation.

I herewith attach note of \$17773 as has been paid, and I ask that you make the order at once in order that the clerk may return the cancelled note to me, and in this way also keep your tax book correct.

Respectfully Submitted
Louis Stutt.

On motion prayer of petition was granted.

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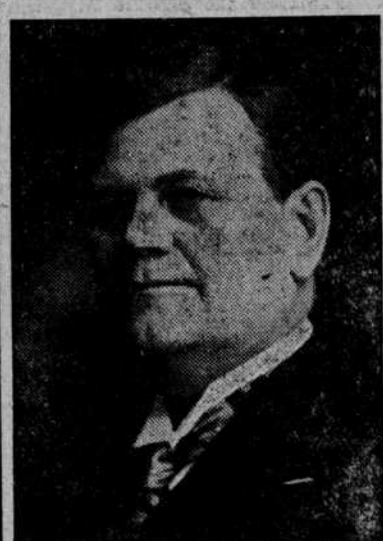
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Wed., Feb. 26th

15 head of cattle, 12 milk cows, 2 yearlings, a 2-year old Red Durham bull. 16 head of horses, 1 grey gelding 7 years old, 1 span of greys 5 and 7 years old, 1 span of bay geldings 5 and 8 years old, 1 brown mare coming 4 years old, 1 span of driving mares coming 5 years old, well matched, 1 mare coming 8 years old, bay mare coming 6 years old, black mare coming 9 years old, roan gelding 8 years old, buckskin pony 4 years old, span of 2 years old colts. Farm machinery, etc., 500 bushels of corn.

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