

**MACKEY AND HAMMOND  
PLEAD GUILTY; CHARGE  
IS 2ND DEGREE MURDER**

(Continued from page 1.)  
crime and one of them had confessed. Now eighteen days after its commission they are in the penitentiary. We can recall no case in the history of this county where justice was meted out as quickly as it was in this case and it will have a wholesome effect, in deterring others from deeds of violence. The question of the disposition of these men has given the local officials much food for thought the past two weeks. While the murder was a cold blooded one and many were of the opinion that they should be electrocuted the question that confronted the officers was whether there was enough evidence to convict of a first degree murder charge. Under the laws of this state the jury, and the jury alone, can fix the death penalty. Was there suf-

ficient evidence to convince a jury that the verdict should be death? Let us review the possibilities. While it is true that Hammond made a confession and named Mackey as the man that actually did the killing; suppose that Hammond refused to take the stand and testify against Mackey. His confession could be used against himself, even if he did deny it and say that it was obtained under duress, but it could not be used against Mackey, and without his evidence Mackey could never be convicted of murder in the first degree; in fact without this evidence the evidence that the state would be able to produce against Mackey would be wholly circumstantial and as such there would never be a verdict of guilty in the first degree. In fact it is possible that he might evade suffering any penalty for his crime. Then again before the penalty that is exacted of a man convicted of first degree murder the case may be reviewed by the Supreme

Court of the state and the Pardon Board.

In the city of Omaha during 1928 a druggist named Tintsham was operating in a drug store at Thirty-third and Cuming streets. He was shot and killed in his store one afternoon and several shots were fired at clerks in the store by a man that came there to rob. The bandit was pursued and arrested by a policeman shortly after the killing, but not until after the killer had snapped his gun in the officers face and the only thing that saved this officers life was the fact that the killer had used all the shells he had in his gun. The murderer was a man named Swartz. Before his trial his attorneys offered to plead him guilty to a second degree murder charge and take a life sentence in the state penitentiary. The court refused. He went to trial on the first degree murder charge, was convicted and sentenced to death. His case was appealed to the Supreme Court and by the Supreme Court his sentence was commuted to life imprisonment, which could have been given on his promise to plead guilty without a trial. The opinion in this case was written by Chief Justice Goss and the fact that it was shown that the murderer was a narcotic addict was one of the reasons given for the commutation of the sentence. This case was passed upon in 1929 and is the last word on first degree murder in Nebraska, being the last case decided by the Supreme Court.

While the coroner's jury was in session last Tuesday the facts, as gleaned by the officers, and the status of the case against Mackey, on a first degree murder charge, was presented to them. The matter was gone over at some length and they were informed that Mackey might plead guilty to a charge of second degree murder, on which plea he could be sent to the state penitentiary for life. In view of the many possibilities of escape and the uncertainties of a first degree murder charge being effective the jury recommended to the court and county attorney that they accept a plea of second degree murder in the case.

Mr. Sexsmith's family was also interviewed by the authorities and they were satisfied with the penalties that would be imposed upon pleas of guilty to murder in the second degree. They thought it advisable to get them to plead, sentenced and into the penitentiary as soon as possible.

While it is true that the question of the expense of a murder trial should not be taken into consideration, when the question of the punishment of men for murdering a citizen of this county

is under consideration, still, owing to the present financial stringency and the condition of the county's finances, it is well to take a view of this angle of the case. If this case had gone to trial it would have cost the county of Holt from five to ten thousand dollars, possibly more, depending upon the character of the defense. And after the expenditure of this vast amount of money, that would have to be paid by the taxpayers of the county, it might be possible that the greatest penalty that would have been exacted by the jury—if they were convicted—would be murder in the second degree. So, by accepting these pleas, the local officials have cleared up this murder case and have placed the men where they will never again have an opportunity to prey upon their fellow men.

**MEEK AND VICINITY**

(Continued from page 5.)  
Mr. Halgrenson, of Ainsworth, was an overnight guest at the Oscar Lindberg home Sunday.

Bob Worth trucked hogs to O'Neill for Merriady Hubby on Tuesday. Several from here have been attending the penticostal services held at Scotville the past few weeks, they will continue this week.

Dr. Brown was called Tuesday for little Florence Walters, who was taken with convulsions. We are glad to report that she is somewhat improved at this writing.

**APPRECIATION**

To the Volunteer Wood Choppers and Truckmen:  
In talking over the fuel needs of the poor people of this city for the coming winter, and the scarcity of money with which to buy coal, with some of the people around town Commander Joel Parker, of the local American Legion Post, said that he thought he could get the Legion boys interested, so he went to work. One morning shortly afterwards, he reported with fifteen Legion men and others and we started for the Eagle creek to cut wood.

The boys tackled the wood chopping like old time loggers, they certainly made the chips fly. When noon time came Phil Zeimer was on hand with a good lunch for all present. Day after day the boys worked until they had all the wood chopped, carried out of the canyon and piled.

Then Gatz Bros., with two trucks, Leslie Uhl, Levi Yantzi, Charles Richardson, Phil Ziemer, Roy Calvert and the County Truck soon got the wood to town. It was sawed up and delivered around town to those in need. This will relieve the county of a large fuel bill and I want to thank all those who worked so willingly in the work of helping those in need, for it shows what the good people of O'Neill will do for a worthy cause.

JOHN SULLIVAN.

**CHURCH NOTES**

**METHODIST CHURCH**  
Sunday School 10:00 A. M.  
Morning Worship 11:00 A. M.  
Epworth League 6:30 P. M.  
Evening Worship 7:30 P. M.  
We invite attendance at these services and assure you of a cordial welcome.

Next Tuesday evening at 7:30 we are to have with us one of the outstanding speakers of the state, Dr. E. Guy Cutshall, chancellor of Nebraska Wesleyan University. Everyone is invited to hear him. We trust that a large audience will take advantage of this opportunity. This is a red letter day in our winter program. Don't forget that every Thursday evening we have our prayer meeting. This is the power house of the church. We need more people there. Come and join us in these meetings.

**FIRST PRESBYTERIAN CHURCH**

Sunday School 10:00—Mr. Geo. C. Robertson, Superintendent. Let every child learn the lesson of Christmas.  
Morning Worship 11:00—The Junior Children will have a part in this service.  
Young People's C. E. Meeting 6:45—Miss Elsie Bowman, leader.  
Evening Service 7:30—"What Must I Do to be Saved?"  
We invite you to the above services.  
H. D. Johnson, Pastor.

State Treasurer Bass has distributed \$166,535.92 to the counties of the state, that being one-fourth of the money collected by the state gas tax for the month of November, 1932. Holt county's share of this tax is \$1,667.74.

**NOTICE FOR BIDS FOR SUPPLIES.**

(First publication Dec. 8, 1932.)  
Notice is hereby given that sealed bids will be received at the office of the County Clerk of Holt county, at O'Neill, Nebraska, up to noon the first day of January, A. D., 1933, for the furnishing of the books and blanks for the various offices of Holt county for the year 1933 and that said bids shall be opened by the Board of Supervisors of said county and the contract awarded to the lowest and best bidder.

The following is the probable number of each of the items of books, blanks and stationery that will be required during said year:

- 6 Records, 8 quire bound, medium plain, each.
- 6 Records, 8 quire bound, medium printed heads, each.
- 6 Records, 8 quire bound, medium printed page, each.
- 6 Records, Double Cap, 8 quires printed, each.
- 6 Records, Double Cap, 8 quires printed heads, each.
- 3 Loose leaf Records, medium, plain, each.
- 6 Loose leaf Records, medium printed heads, each.
- 6 Loose leaf Records, medium, printed page, each.
- 1 8-quire personal tax list.
- 3 Double medium tax list, 10 quire printed page, each.
- 300 Special Index Tabs with shields for tax lists.
- 10,000 Tax Receipts, 200 in a book, duplicate, well bound, ruled and printed to copy, furnished, numbered consecutively, per M.
- 1 Dozen Sheriff's pocket documents each.
- 34-Quire personal assessment records, each.
- 6 2-Quire personal assessment records, each.
- 7,000 Duplicate personal assessment schedules, per M.
- 7,000 original personal assessment schedules, per M.
- 600 Smeads, Banded files specially printed, per M.
- 12 assorted schedules files, each.
- 40 Real Estate Assessor's books.
- 20 Patent backs, each.
- 20 Canvas Covers, each.
- 40 Assessment of improvements on real estate, each.
- 1 Dozen Revenue Laws, each.
- 24 Memorandum of mortgage indebtedness, Manilla bound, each.
- 12 Books, Treasurer's Receipts for school money, cloth bound, each.

2 Rebinding complete records for Clerk of the District Court, each.  
6 4-quire day fee books, half bound printed heads, each.  
36 Special files, each.  
1 Real Estate assessment record, 1 quire each.  
500 Special assessment schedule, 10 forms, each.  
All above books, except where binding specified, are to be extra full bound, numbered and lettered on back and made of Byron Weston's linen Ledger paper.  
Separate bids must be made on books and blanks. All supplies must be furnished in accordance with specifications furnished by the office ordering same.  
Payments to be made by warrant on the County General Fund.  
All supplies are to be furnished as ordered.  
Bids must be marked and addressed to the County Clerk of Holt county, Nebraska.  
The successful bidder will be required to furnish a good and sufficient bond for faithful performance of contract.  
The County Board of Supervisors reserves the right to reject any and all bids.  
Bids to be opened according to the requirements of the law at the first meeting of the County Board on and after January 1, 1933.  
JOHN C. GALLAGHER,  
County Clerk.  
(Seal)

**WHY GET UP NIGHTS?**

Make This 25c Test  
This easy blabber physis is needed to drive out impurities and excess acids which cause irritation that results in leg pains, backache, burning and getting up nights, BU-KETS, the bladder physis, containing buchu, juniper oil etc., works on the bladder pleasantly and effectively, similar to castor oil on the bowels. Get a 25c box (5 grain size) from your druggist. After four days, if not relieved of getting up nights go back and get your money. You are bound to feel better after this cleansing and you get your regular sleep. Locally at Reardon Bros. B-36

**FOR SALE**

Frames made to order. Easel Back Frames for your Portraits and Kodak Enlargements. Do your Christmas Shopping at the O'Neill Photo Co. 29-1  
Dressed Turkeys ready for the oven, 16 cents per pound, delivered. Mrs. Robert Tomlinson, Opportunity. 29-2  
If you need Better Glasses Dr. Perrigo can make them. See him at Golden Hotel, O'Neill, Fri., Dec. 23. 2  
For Sale or Trade—Pure bred polled Shorthorn bulls, of serviceable age.—Floyd Whitaker, Chambers, Neb. 28-3p  
Visit the new balcony gift shop of the E. L. Moore Book Store in Norfolk, for a wide selection of inexpensive gifts from 25 cents up. 28-3  
For Sale—One new Coleman Air-O-Gas range. Can be seen at this office. Bargain.

**MISCELLANEOUS**

For glasses to suit your purse as well as your eyes, see Dr. Perrigo at Golden Hotel, O'Neill, Fri. Dec. 23. 29-2  
STOP! LOOK! LISTEN!  
A program and box social will be held at the Meek school, Dec. 23, 1932 beginning at 8 o'clock. Everyone welcome.—Margery Grutsch teacher. 29-1  
Found—Two pair Rosary beads—Call at this office. 21-ft

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**FRIDAY AND SATURDAY SPECIALS**

OATS—55 Ounce Pkg. 2 for	29c	PORK CHOPS—Lean 2 pounds	25c
ONIONS—Native Bermudas, 15-lbs	25c	BEEF Shoulder Roast 2 pounds	25c
SOAP CHIPS, Quick Arrow, Per package	12c	FRESH HAMBURGER All Beef, per lb.	10c
SOAP—White Beat-Em All, 10 for	25c	FRESH PORK SAUSAGE Per pound	10c
ORANGES—288 Size Per Dozen	20c	FRESH PORK LIVER 2 pounds	15c
BANANAS—Yellow Ripe Fruit, per lb.	5c	BACON SQUARES 3 pounds	25c
RAISINS—Thompson's Seedless, 3-lbs.	22c	SMOKED HAM HOCKS Per pound	5c

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**Giff JEWELRY AND SILVERWARE**

WITH a view to accommodating our price range to the year's more limited budgets . . . we have assembled a great number of really remarkable values in Jewelry and Silverware. Thus we hope to domuch towards making this a very Merry Christmas for you and your friends.

Jewelry—To a woman, the most precious gift of all. To a man, a token revealing the lasting sentiment of the giver. Indeed, yes, modern Jewelry becomes more cherished with passing years. We suggest . . .

**For Her**  
Diamond Rings . . . white gold . . \$16.00 and upward.  
Sheaffer's Fountain Pen Sets . . . \$8.00 and upward.  
Cameo Brooches . . . \$3.00 and upward.  
Wrist Watches . . . white gold . . \$15.00 and upward.  
Kodaks . . . \$5.00 and upward.  
Brownies . . . \$2.00 and upward.

**For Him**  
Pocket Watches . . . Strap Watches . . . \$17.00 and upward. \$15.00 and upward.

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**GIVE GOODYEARS FOR CHRISTMAS!**

**GOOD SAFE LOW-COST GOODYEARS**

New Speedway Guaranteed Tires and Tubes

Full Oversize	Each	Each in Prs.	Tube
30x3 1/2	\$3.75	\$3.63	\$ .91
4.40-21	4.15	3.98	1.05
4.50-20	4.49	4.39	1.00
4.50-21	4.57	4.47	1.05
4.75-19	5.27	5.12	1.00
4.75-20	5.30	5.23	1.00
5.00-19	5.55	5.40	1.15
5.00-20	5.63	5.49	1.31
5.00-21	5.00	5.05	1.33
5.25-18	6.30	6.12	1.17
5.25-21	6.05	6.07	1.33

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