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TOWN TALK

The Irvine case is drawing to a close. It is a remarkable case, chiefly by reason of the peculiar defense made. Every indication points to an acquittal, and everyone conversant with the course of proceedings has reached that conclusion. And yet, while everyone realizes that a verdict of defendant's insanity at the time of the commission of the act would be almost farcical, still few will find fault with any finding that will acquit Irvine. It has certainly been shown that the prosecution was great, and no one would contend for a verdict more severe than would be required to emphasize the wrong committed in the taking of human life. "Thou shalt not kill" is a command that every day meeting with stronger favor, and there is a large proportion of civilized humanity that believes today that no man can be justified in taking the life of another except to save his own. The proportion is growing larger as human ideas develop. If there be any other justifications, the invasion of the happiness and sanctity of one's family relations is certainly foremost among them. The defense has certainly established a very strong case of insanity. The story of his mental and physical experiences told by defendant is highly improbable. They are unparalleled in the entire history of insanity and do not harmonize with the writings of any of the great authorities. But to secure a conviction the state undertook a mighty task. It became necessary to convince every one of those twelve jurors, "beyond the reason of a doubt," that defendant was sane at the time of the murder. If one juror of the twelve has not so been convinced, the conviction cannot follow. It is reasonable to suppose that the uncertainty on that point thrown around the case, by the testimony, weak though it be, and the opinions of experts, even though they do not generally fit this case, has furnished ample foundation for a reasonable doubt in the mind of at least one of the jurors. It is conceded that the jury is friendly to the defendant. The court has been extremely generous to the defendant in its rulings at every point and the prosecution has been at a decided disadvantage. The prediction made in these columns over a week ago to the effect that Irvine will be acquitted can be confidently repeated after hearing the testimony on both sides, but it will not be because the defendant was insane. It will be because his story is one that appeals to human sympathy, regardless of the law, and the insanity theory merely furnishes the jury the excuse it may rely upon to justify it in following the dictates of compassion. It is believed that within a short time Mr. and Mrs. William H. Irvine will be reunited. She has said, "I have caused the death of one man; I do not want to be responsible for the death of another, and will give my testimony in my own behalf if it will be needed to save him." The heroism of the determination and the terrible self-sacrifice it promised, atoned for much of her sin. And in this connection it may be said that the testimony is weak, except by the inferences it points, that she ever sinned unparadonably with Montgomery. The state was anxious to have her put on the stand by the defense, that they might discover whether or not she had so seriously transgressed as was shown by inference, but they could not call her, that power lying only with the defense.

The board of education has just struck a severe blow at that much vaunted bulwark of American independence—the jury system. It has established a night school. If the latter is as successful as it promises to be under the management of Secretary Bowen and Superintendent Strong, it will certainly be but a short time until it will be impossible to secure a competent jury in a criminal trial. The existence of night schools is totally incompatible with the theory upon which the modern jury is constructed. The dense degree of ignorance contemplated by the jury system cannot exist long where there are well regulated night schools in operation and it is hinted that there also may soon come a time when it will be impossible to find men in all respects as well qualified as now to serve as members of the city council. In view of these apparent facts, would it not be well to investigate the expediency of the night schools.

The fact that \$275,000 of Lincoln bonds were brook over during the past week to Mr. Brock, an eastern investor, and the fact that they brought a premium, is apt to lead to some serious reflections among thinking people. It is conceded that the present money market is not such as would appreciate the value of such bonds and yet it is known that for years, extending away back past the years of confidence in western securities, bonds of this city have been selling at a discount. It was not called a "commission" to the parties who negotiated them, always with more or less misgivings. A good many people will wonder why, in the midst of western prosperity, enhanced values and eastern confidence, our city bonds always went at a material discount, while now, with conditions much less favorable, they go at a little more than par. There is a chance for those who have been governing the city and negotiating city bonds, to hire a hail and explain. There is a field for a Col. Rowley in city affairs. Meanwhile the friends of Mayor Weir can extend their congratulations. He has made a lucky strike that will atone for many shortcomings due probably to a lack of breadth in his views of trivial matters. Lincoln needs no more officials who sell their bonds at a discount.

The commissioners of the sanitary district have again started in with a view of strengthening Salt Creek and have asked in county court that a commission be appointed to appraise the Kendall & Smith mill dam for condemnation. By its recent levy the sanitary board has something like \$24,000 to its credit, and may draw warrants to the

extent of 90 per cent of that sum. It is thought that the dam will not be appraised at a high figure, and some even put it as low as \$3,000. It is probable that if the appraisers get it down to three times that sum the sanitary board will accept it, deposit the money and proceed with the work. The dam has long been a great nuisance and a detriment to the general health of the city. It may have been from a realization of this fact that its owners realized on demanding a big price for it, holding it as worth to them as high as \$50,000. When the appraisers are appointed they will place an estimate on the value of the dam. If it is too high the sanitary commission say they will let it go and apply for another commission. This they can keep doing until they strike an appraising committee that will put a price on the dam that will be acceptable. Then the sanitary commission can deposit the amount of the appraisal in court and remove the dam at once. If the price is unsatisfactory to Kendall & Smith, they may resort to the courts, but it need not delay work. The commission contemplates the immediate straightening of the creek only between the Twenty-seventh street bridge and the Northwestern crossing, about a quarter of a mile northeast of the Twenty-seventh street bridge. All of this right of way is over Kendall & Smith's land and the new ditch will cut out the loop on which the dam is built. Nothing further will be done this side of that point, probably, until owners of the land, to be traversed by the proposed ditch, feel disposed to grant right of way and waive all damages as a return for the substantial benefits conferred. If they remain as grasping as they have hitherto manifested a disposition to be, their property will probably remain scarred as at present by the ramifications of the creek bed. It is believed by many that the removal of the dam will accomplish every public purpose, and the straightening of the creek bed is wholly a private benefit, that interests chiefly property owners along its courses. The creek bed is six feet higher above the dam than below it, which will create a substantial fall and insure an appreciable current. Let the good work go on.

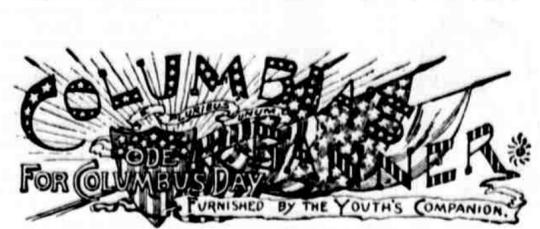
The spectacle afforded an enormous audience at the M street ball park yesterday was one of unusual interest and will long remain green in the memory of all those present. What can be imagined prettier, sweeter, or more interesting than five thousand school children marching, and singing, their sweet, melodious voices filling the air with charming song? It must have been quite an undertaking to drill so many voices, and to Mrs. Jennie M. Sanderson belongs the credit. She was ably assisted by teachers in the various departments, and the result was pleasing and successful. The "Song of Columbus," of four verses, was sung with such harmony that the effect was as though rendered by but a few instead of thousands. The opening chorus, "Salute to the Flag," was no less charming, and the vast audience fairly went wild with applause at its close. Its like was never before heard in the west. The other exercises were in keeping with the occasion, and altogether it was an event in full keeping with the great celebration.

A most amusing case of mistaken identity occurred in the office of Hotel Ryan of St. Paul the other day, says the *Pioneer Press*, and goes to destroy one more of the old ideas that no two things are exactly alike in this world. A neatly dressed gentleman entered the hotel, proceeded to the desk, was handed a pen by the gentlemanly clerk, and registered W. Newell, New York. The clerk called the uniformed attaché known by the nom de hote of "Front," and had him show the guest to a room on the parlor floor. About fifteen minutes later his exact counterpart, dressed exactly alike in every detail, even to a rose in his buttonhole, walked up to the desk, picked up a pen and before the clerk could stop him, registered the mystic name, W. Newell, New York. He also asked for a room. The clerk looked his man over, and when he could recover his speech, said: "Why, what do you want, the earth? I have just assigned you to one of our best rooms." The gentleman drew himself up, and with a severe look, replied: "You are mistaken; I have just arrived in town and never saw you in my life before." At this the clerk nearly fainted, but fortunately for all concerned the first gentleman came out all concerned, crossed over and addressed his brother. The consternation on the face of the clerk, bell boys and surrounding guests can better be imagined than described. The men were none other than Willard and William Newell, the only twin actors in the world, who are starring in Newell Brothers and Dukins' scenic production of *The Operator*. They look so much alike that it is said that their own relations don't know them apart. One of them is engaged to be married, and the only fear the young lady has is that she will marry the wrong man by mistake.

Truly a Popular Hostler.
The new Lincoln stables on O street near Seventeenth are gaining *poes* laurels every day and if popularity continues to fasten itself upon that well known horse resort in the future, as in the past, another story or two will have to be added in order to hold the business. Landlord Dave Fitzgerald has taken personal control of his beautiful stable, and decided change has come over the place. Everything moves like clockwork and all patrons seem to be thoroughly pleased with the treatment that they themselves, as well as their horses, get. Riggs always leave the stables handsomely cleaned, the horses properly groomed and in the very best of condition. It is therefore a pleasure to use such property and Mr. Fitzgerald is receiving praise on every hand for the able manner in which the stable is being conducted. Mr. Frank Ramsey, an experienced and polite foreman, is always on hand and no stable in the city is able to give better satisfaction to patrons than this one. Should you be in any way dissatisfied with the treatment of your horse at its present abode or if your rig does not come out of the stable properly cleaned and in nice shape, it

Orchestra Music.
Irvine's new orchestra furnishes superior music, any number of pieces, for concerts, receptions, balls, parties, etc. Leave orders at COLEMAN'S office, 1134 N street, telephone 253.

Dr. Farinhau Cures
blood, chronic, female, heart, liver, lung, nervous, renal and skin diseases. Rooms Nos. 14 and 15, Richards block.



"God helping me," cried Columbus, "though fair or foul the breeze, I will sail and sail till I find the land beyond the western sea!" So an eagle might leave its eyrie, bent, though the blue should bar, To fold its wings on the loftiest peak of an undiscovered star! And into the vast and void abyss he followed the setting sun; Nor gulfs nor gales could fright his sails till the wondrous quest was done. But Oh, the weary vigils, the murmuring, torturing days, Till the Pinta's gun, and the shout of "Land!" set the black night ablaze! Till the shore lay fair as Paradise in morning's balm and gold, And a world was won from the conquered deep, and the tale of the ages told Uplift the starry Banner! The best age is begun! We are the heirs of the mariners whose voyage that morn was done, Measureless lands Columbus gave and rivers through zones that roll, But his rarest, noblest bounty was a New World for the Soul! For he sailed from the Past with its stifling walls, to the Future's open sky. And the ghosts of gloom and fear were laid as the breath of heaven went by; And the pedant's pride and the lordling's scorn were lost, in that vital air, As fogs are lost when sun and wind sweep clean blue and bare; And Freedom and larger Knowledge dawned clear, the sky to span, The birthright, not of priest or king, but of every child of man! Uplift the New World's Banner to greet the exultant sun! Let its rosy gleams still follow his beams as swift to west they run, Till the wide air rings with shout and hymn to welcome it shining high, And our eagle from lone Katahdin to Shasta's snow can fly In the light of its stars as fold on fold is flung to the autumn sky! Uplift it, Youths and Maidens, with songs and loving cheers; Through triumphs, raptures, it has waded, through agonies and tears, Columbia looks from sea to sea and thrills with joy to know Her myriad sons, as one, would leap to shield it from a foe! And you who soon will be the State, and shape each great decree, Oh, vow to live and die for it, if glorious death must be! The brave of all the centuries gone this starry Flag have wrought; In dungeons dim, on gory fields, its light and peace were bought; And you who front the future—whose days our dreams fulfill— On Liberty's immortal height, oh, plant it firmer still! For it floats for broadest learning; for the soul's supreme release; For law disdaining license; for righteousness and peace; For valor born of justice, and its amplest scope and plan Makes a queen of every woman, a king of every man! While forever, like Columbus, o'er Truth's unfathomed main It pilots to the hidden isles, a grander realm to gain. Ah! what a mighty trust is ours, the noblest ever sung, To keep this Banner spotless its kindred stars among! Our fleets may throng the oceans—our forts the headlands crown— Our mines their treasures lavish for mint and mart and town— Rich fields and flocks and busy looms bring plenty, far and wide— And statelier temples deck the land than Rome's or Athens' pride— And science dare the mysteries of earth and wave and sky— Till none with us in splendor and strength and skill can vie; Yet, should we reckon Liberty and Manhood less than these, And alight the right of the humblest between our circling seas— Should we be false to our sacred past, our fathers' God forgetting, This Banner would lose its luster, our sun be nigh his setting! But the dawn will sooner forget the east, the tides their ebb and flow, Than you forget our radiant Flag and its matchless gifts forego! Nay! you will keep it high-advanced with ever brightening sway— The Banner whose light betokens the Lord's diviner day— Leading the nations gloriously in Freedom's holy way! No cloud on the field of azure—no stain on the rosy bars— God bless you, Youths and Maidens, as you guard the Stripes and Stars! EDNA DEAN PROCTOR.



will pay you to look for new and comfortable quarters at the Lincoln stables. All horses delivered and sent for on request via telephone 550, or otherwise. Why not consult your own interests and call for particulars as to rates, etc., at the Lincoln Stables!

Omaha's Leading Hotel.
The Paxton hotel, for eight years under the management of Kitchen Bros., has again passed into their hands and is now being conducted in the same excellent manner that gave the house its renowned reputation years ago. Mr. Ralph Kitchen, who is well known in Lincoln and throughout the state, having formerly had the management of the Capital hotel in this city, has the management of the Paxton. Lincolnites and Nebraskans in general will find the Paxton fully in keeping with the leading hotels of the country and a most excellent place to stop at while in Omaha.

Our coal is well screened, full weight guaranteed and delivery always prompt. Call up Lincoln Coal Co. Phone 440.

Mrs. Gosper leads in millinery, as she always has. The new invoice of fine pattern hats just received convinces every one more than ever of that fact.

If you enjoy dancing go to your druggist and get a bottle of Positive Corn Cure, which insures comfort.

If you miss the bargains offered for next week by J. W. Winger & Co. you will regret it.

Orchestra Music.
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TIME TO KICK

The council at its last meeting fullfilled threat to reduce the police force, and the people of this city find their destinies for weal or woe, so far as police safeguards are concerned, in the hands of sixteen policemen, of which ten are assigned to night patrol duty, five for day patrol and one does detective work. Just think of it, ye who are wont to grumble at the tardiness of the police! Five patrolmen for day work in a city of 60,000 people, and a territory of upwards of twenty square miles. Is it any wonder that each policeman has not found it possible to spread himself out over four or five square miles so as to be at every portion of it at the same time. Further than this, there is Capt. Carder, who is license collector and is not available much of the time for ordinary police duty, although he is included in the five day men. Then there is one required most of the time at the station, so that three patrolmen are left to cover the twenty square miles during the day. For night duty there are ten patrolmen to cover this territory. Of course they do not go over much of that territory, but their assigned beats comprise about 165 blocks of streets, or a mile and a quarter each. The largest beat comprises the territory between M and Q streets north and south and Twenty-first and Twenty-seventh east and west, a little matter of twenty-four blocks. This man also goes north on Twenty-seventh street to the Missouri Pacific track. The smallest beat is M and Q streets north and south and Tenth and Twelfth east and west. This territory, eight full blocks, comprises two beats, so that even there, in the very heart of the city, the policeman, when he reaches the corner of Twelfth and Q is not in a very good location to run down a murderer or a burglar at Tenth and Q, the opposite corner of his beat. Thus far, too, the council has failed in spite of its overbearing wisdom, to establish any license for evil

doers requiring them, when about to commit a burglary or a murder or a hold-up, to ring the fire alarm to bring a policeman to the spot. It has failed to require these marauders to submit sealed plans and specifications of their proposed enterprise, or even serve notice by publication. Hence it is that when any of the nocturnal gentry do strike a job it is just as likely as not, and a little more so, to be at the opposite corner of a large territory from any policeman. Every patrolman is expected to go over his entire territory just after going upon duty and just before going off duty, trying the back and front doors and windows of business houses to see that they are safely locked. That if that, will ye, and proclaim the wisdom of our city council. And, gentle reaper, when next your house is burglarized, your barn fired, your family insulted by a libertine or your own face disfigured by a foot pad, don't come down town next morning shouting, "Where was the police?" but shout your anger out at the council and go after them. This city ought to get up a church social and pass the hat occasionally to enable it to appear respectable. Seriously, there should be an increase of the police force if it must be paid for by subscriptions. Then there should be a city council elected next year that will stop running out of funds and howling calamity.

The kicker cannot possess his soul in peace if compelled to traverse the walks in either the state house grounds or post-office square. They are a disgrace to the state and the nation. Before the walks in the capitol grounds were finished it was apparent that they were worse than worthless, but they were new and therefore tolerated. But now in wet weather they are simply an aggravation. They are considerably lower than the sward on either side, and the water simply flows from all over the square down upon the walks and seeps along their respective courses and outlets to the streets. During every rain one needs a pilot to navigate those expensive gutters, and even long after a rain great puddles are encountered where some of the rocks have sunk below the surface of their companions. Hence it is that in many places the walks and broad plazas are undermined and have fallen into the ditches in a pitiable state of dilapidation and decay. The board of public lands and buildings, or the legislative gentlemen from this bailiwick, should go after an appropriation at the approach of session with which to replace the disgracefully constructed walks with serviceable and substantial ones of manufactured stone or its equivalent in durability and beauty, if not with something even better. The walks in government square are open to the same criticism as to their altitude. They are set below the surface and serve for sewers rather than as walks. However, they are of durable material and need only elevation. The contractors who put in the walks in those two squares could learn something from the men who laid the court house walks. The latter are not only above ground, but they are handsome and promise to be durable, although ominous cracks in the street walks have necessitated some repairs. The powers that be should see to it that the state house and government square walks are put in a serviceable manner.

Let the good citizens of Lincoln who pride themselves on the beauty of the city stroll down Tenth street some day and note the appearance of that thoroughfare from N to L street. The sidewalks, unoccupied sidewalk space and even the pavements are littered and blocked by phantoms of the one-horse show, by crippled wagons, anti-colonial herds, broken buggies, dismantled vans and every characteristic of a junk shop with a long time lease. This portion of that street has not presented a respectable appearance for years. The street has apparently been pre-empted, and in a few years more may be presumed to have been vacated because of undisputed occupancy. Why not clear it up before the occupants acquire an absolute title to it? This is one of numerous similar sections of the public streets.

There is another question upon which the city council may need a little bracing up. It is the question of ridding the city of the annoyance inflicted by its myriad of howling curs. A long-suffering community must sooner or later rise up and do a little howling itself. Every one will admit that some people have valuable dogs that inflict no discomforts upon people in their vicinity, but that fact should not suffice to justify the flooding of the city with a horde of midnight yelpers that have not been and cannot be educated in metropolitan properties. The energy ruined by loss of sleep from their ill-timed night disturbances would pay many times over a reasonable tax on decent, law-abiding and order-loving dogs. Let us have an enforced dog tax, and let it be understood that no dog is so valuable to its owner that he will be permitted to ruin the rest of the people in the neighborhood. If necessary in order to get rid of the dog nuisance, let us have a commissioner to examine into the merits and habits of dogs and make due preparations for the obsequies of the noisy and worthless ones. Why not establish a tax and enforce it, to the end that we may have more policemen and fewer curs.

There is one interest or branch of business in the city that is not averse to the diminution of the police force. It is the coterie of gentlemen who operate the side-door joints. The industrious dispensers of schooners and cocktails are not partial to a superabundance of policemen. 'Tis true the policemen do not appear to have caused them any great degree of annoyance of late, but it would be just as well, and a little better, if there were no policemen around. It would be ridiculous to assume that, if the police force comprised but one man, he could fail to observe the open and continuous violation of the law by

the side door, back door and cigar and restaurant annex resorts. They are almost as public and apparent as the corner fruit stand. The present police force is doubtless figuring, on increasing its friendships by non-interference in the matter of those violations of law, but they will recognize sooner or later that he who enforces the laws laid down for his guidance has the most friends in the end. Thus far it has been difficult to discover whether this short-sightedness on the part of the police is designed for the political advancement of Excelsior Kelly or Excelsior Doolittle, but it is reasonably sure that one of them expects to profit by it politically.

The recent agitation of the sidewalk question by the local press has induced the city council to make a new start in the right direction. At its last meeting it ordered the removal of a lot of poor sidewalks in business and generally travelled sections. There were only twelve victims selected, however, out of the hundreds available. Now that an example has been established let there be no backward step, no more vacillation. Do not make fish of one and flesh of another property owner whose parsimony leads him to disregard the comfort and safety of his neighbors. When a taxpayer provides a good sidewalk, as every dutiful property owner will, he has a right to demand a similar comfort and measure of safety from his neighbor. Some members of the council are on the right track in demanding better walks on lines of uniformity and people should line up behind them.

SOCIAL AND PERSONAL.

Mr. and Mrs. B. G. Dawes are enjoying a few days in Chicago.
Mrs. Blanche Shephard has gone to the Dakota Hot Springs.
Miss Sarah Harris is entertaining Mrs. D. D. Muir of Denver.
Mr. F. D. Stone departed Wednesday for Columbus, Ohio.
Mr. and Mrs. J. E. Hill started for Chicago Wednesday.
Mr. T. A. Caruthers left Thursday for Philadelphia.
Mrs. Frank Van Horn left Tuesday for Casper, Wyo.
Mr. and Mrs. M. L. Hupert went to Chicago Tuesday.
Mr. and Mrs. J. J. Gillilan left Wednesday for Chicago.
Mr. Edward Heed started Tuesday for Minneapolis.
Mrs. Alice C. Hart left Monday for a visit in Wisconsin.
Mayor A. H. Weir is out of the city on business.
Mrs. J. N. Converse left Wednesday for Chicago.
F. Connell Zenrung spent Wednesday in Omaha.
Mrs. Tom Moore left Monday evening for Pueblo.
Miss Agnes Earle left Wednesday for Chicago.
Mr. and Mrs. H. H. Wilson have gone Chicago.
Mrs. J. L. Kennedy left Friday for Chicago.
Mr. G. K. Smith left Thursday for Kansas City.

Irvine Convicted.
This will be sad news to hundreds of Lincolnites, and if it were only true, it might cause general regret. But such, however, is not the case, but we had to do something extraordinary to attract your attention and now that we've succeeded, we'll ask you to call in and see Hallett, the old reliable and popular jeweler, on Eleventh street. His stock of last season's goods was almost entirely sold at the recent auction sale, and now the beautiful store presents a handsome appearance than ever before. The large wall cases have been refilled with magnificent new designs in silverware, and a more attractive display it would be difficult to find anywhere. In the counter showcases are now seen a new line of the latest styles in watch cases, jewelry, etc., and the assortment of spoons for soups and ordinary use are positively beyond description. It is not idle talk when we say that Hallett's new line is without doubt the largest, most varied and most elegant stock now to be seen in the state and an early inspection is invited.

Beer For Family Use.
For family trade the John Gurd Brewing Co. is now delivering a superior grade of extra pale beer in either pint or quart bottles. This beer for table use has no equal and is meeting with popular favor with all the best trade of the city. Prices as cheap as that charged for inferior beer. Leave orders at office, 211 North Ninth street. Oscar Beck, agent. Once tried no other beer will be used. Why not order a sample case of it.

For ladies' superb hairdressing, hair ornaments and hair goods always go to headquarters—Mrs. Gospers, 1114 O street.

Rector's New Pharmacy.
Sunday hours: 9:30 to 12:30 a. m., 2 to 5 and 7:30 to 9:30 p. m.

Starting Monday we offer Cloaks at \$3.50, \$4.50, \$5, \$6.75, \$7.50, \$9.50 and \$12. No such values ever offered before.
J. W. WINGER & CO.,
1109 O street.

Miss Alice Isaacs of Omaha has just returned from New York after a seven weeks purchasing visit. Her store at Omaha, 307 South Sixteenth street, contains all the latest novelties in pattern bonnets which are being offered at lowest prices with a guarantee that every hat is the correct style.

Mrs. S. F. Ryan, fashionable dress making, room 78 Burr block.