

The Sioux County Journal.

(OFFICIAL COUNTY PAPER.)

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THURSDAY, OCT. 9, 1890.

Republican White Ticket.
For Governor, L. D. RICHARDS.
For Lieutenant Governor, THOMAS MAJORS.
For Secretary of State, J. C. ALLEN.
For Auditor, THOMAS BENTON.
For Treasurer, J. E. HILL.
For Commissioner of Public Lands and Buildings, G. R. HUMPHREY.
For Attorney General, G. H. HASTINGS.
For Superintendent of Public Instruction, A. K. GOUDY.

Republican Congressional Ticket.
For Congressman, 3d district, GEO. W. E. DORSEY.

Republican Legislative Ticket.
For Senator, 14th District, WALLACE WILSON.
For Representative, 3rd District, EL. L. HEATH.

Republican County Ticket.
For County Attorney, H. T. CONLEY.
For County Commissioner, ELI J. WILCOX.

It will now be in order for D. P. Davis to withdraw in favor of L. O. Hull.

Congress adjourned Oct. 1st, and now the members can devote their entire time to political matters until Nov. 4th, after which they can take a rest.

The first legislature of Wyoming will be composed of fourteen republican and two democratic senators, and twenty-eight republican and five democratic representatives.

We are in receipt of Vol. 1, No. 1, of the Hat Creek, S. D. Frontier, with the name of A. L. Baumgartner at the head of the editorial column. He is a young man of energy and good habits and will give the people of that place a good paper. We extend best wishes for his success.

The campaign of 1890 in Nebraska is looked for the attempts at joint debates. In the first district, Connell and Bryan are to meet each other and the same is true of Harlan and McKeighan in the second district. In the third district it is reported that Kim has challenged Dorsey to meet him in joint discussion, and in this representative district, C. W. Allen, the democratic nominee, has issued a challenge to El. L. Heath to meet him and discuss the issues of the day, so that from now until Nov. 4th, political discussions will likely be quite plentiful.

The fact that Senator Paddock was one of the three republican senators who voted against the tariff bill as reported by the committee, elevated him several degrees in the estimation of the people of the west. A fight had been made to have binding time put upon the free list, but it was not done and that was a very important item to the western farmers and in voting as he did, Senator Paddock voiced the sentiment of the entire west. There is a growing demand for independent voting on matters affecting the localities which men are sent to represent, and it is quite likely that it will not be long until the caucus rule will be broken, except on matters of a strictly party nature.

It has been charged by democratic newspapers that Hon. Geo. H. Hastings, the republican candidate for attorney-general, is a railroad attorney. The Reporter has investigated this charge, and finds it to be absolutely untrue. Mr. Hastings is not now, nor has he ever been attorney for any railroad company. During the building of the Missouri Pacific through Saline county, Mr. Hastings was a member of the committee of the city of Orest to secure the right of way, and in this capacity appeared in court to secure damage suits. In these suits he appeared as the attorney of the company through really acting in behalf of his town which had guaranteed the right of way to the railroad. This is the entire history of George Hastings as a railroad attorney.—Special Reporter.

It was well understood that D. P. Davis intended to remove from Sioux county, but after the attempts of the gang to get some one else to be a candidate on their ticket for county attorney had failed, it was decided that Davis should run, and so a road gathering, consisting of D. P. Davis, his partner and seven antagonists together and proclaimed him on their choice as a candidate for county attorney. It is not at all likely that Davis would want a man in the position of county attorney who has never been in the position of attorney, and who has never been in the position of attorney, and who has never been in the position of attorney.

We presume that Prof. Wm. C. Robinson is in good authority on this subject as the syllabus (Quaker of the Ab-

His Financial Standing.

Under the heading of "Is it not Perjury" the gang organ in its last issue makes a great howl against H. T. Conley because he signed the notarial bond of Thomas Reidy on the 12th day of April 1889, and takes as evidence that he did wrong in doing so, the fact that Mr. Conley was assessed for the year 1889 in Sioux county, but \$75 dollars for personal property and none on real estate. That is the same kind of tactics employed by the gang last January when they attempted to keep the legally elected officers from taking their seats by declaring their bonds insufficient because the bondsmen did not have a lot of real estate assessed to them in Sioux county. But it did not work at that time, neither will it have any weight against H. T. Conley.

While a candidate for the suffrages of the people is public property and the public have a right to know of any past shortcomings of such candidate which would unfit him to fill a position of public trust, either from a moral standpoint or from the standpoint of qualification, we deny the right of any individual or newspaper to willfully malign, vilify and lie about a candidate without any foundation in fact for its statements.

Mr. Conley signed and verified to the notarial bond of Thomas Reidy on April 12, 1889. He swore that he was a resident and freeholder of Sioux county, Nebraska, and that he was worth at least the sum of \$2,000.00, over and above all debts and liabilities by him owing and all property exempted by law from levy and sale under execution, and that affidavit was true in every particular.

On the 12th day of April, 1889, H. T. Conley was a resident of Sioux county, Nebraska. He was also a freeholder in Sioux county, Neb., at that time, being the owner of the northwest quarter of section 3, township 31, north of range 56 west, by virtue of a timber culture entry which he had on said tract.

He was also at said time worth \$2,000, over and above his liabilities and exemptions, being at that date the owner in fee of a house and lot in the village of Ansley, Neb., worth \$1,000.00, the owner in fee of 160 acres of land (being one of the best improved farms in Custer county) three-fourths of a mile from Ansley, which tract he proved up on as a pre-emption, a hundred acres of the place being in a good state of cultivation, said farm being worth \$20 per acre; he was also at that date the owner in fee of the undivided one-half interest of 480 acres of land situated from 8 to 10 miles west of Ansley, which land was worth \$12 per acre, which ownership appeared of record in the office of the clerk of Custer county, Neb., at the above date, and in addition to the above he was also the owner of personal property in Custer county, Nebraska, which consisted of a farm team, harness, plows, etc., all of which property was subject to execution.

Mr. Conley was assessed in the spring of 1889 by the assessor of Bowen precinct, Sioux county, Neb., in the sum of \$75.00 personal property, and no real estate, but he did not take the oath described by the Herald, for the reason that the assessor did not ask it. Had the assessor requested it Mr. Conley would have taken the oath as that was all the taxable property he had in Bowen precinct, Sioux county, Neb., he was not listing his Custer county property with a Sioux county assessor, the law not requiring it. The Custer county assessors looked after their end of the business.

In another article the Herald wants to know "when Hugh Conley has been a freeholder (owner of real property in fee simply) in the county?" For the benefit of the Herald editor will state that a person can be a freeholder without being the owner of real property in fee simple, and we cite as our authority Prof. Wm. C. Robinson, of Yale law school, who in his work on Elementary Law, published in 1838, says:

Freehold estates grew out of and were a part of the feudal system. The king would parcel out a large tract of land to a baron, the baron to furnish the king a certain amount of military service yearly or a certain fixed sum of money yearly, the estate to last during the life time of the baron on his compliance with the agreement. The baron in turn would subdivide his manor into a number of smaller tracts and sublet them to freemen in the same manner as he held it from the king, the estate to last during the lifetime of the freeman, on condition that the services or rents be paid. Such estates were known as freehold estates for the reason that they existed for the lifetime of the freeman who occupied them and on their death reverted to the baron and the king. From these principles arose the first great division of estates in real property into freehold estates and estates less than freehold. Freehold estates including life estates, inheritable estates and estates in fee simple. Less than freehold including all estates for fixed periods of time, that is, estates for a certain definite number of years known as the time of the covenant of the estate.

Thus all claimants of government land under homestead, pre-emption or timber culture filings are freeholders. Their title to the land does not depend on their furnishing the government a certain rental yearly. All the government requires of them is that they perform certain acts of improvement and settlement for themselves for a few years.

If the claimant under the homestead, pre-emption or timber culture laws do not do any more after making entry, even before he has finished his improvements, or his settlement on the land, by law he is entitled to a title in fee simple from the government, his land does not revert to the government as did the freehold estates in feudal times but it descends to his heirs and is therefore inalienable to the dignity of an inheritable estate.

We presume that Prof. Wm. C. Robinson is in good authority on this subject as the syllabus (Quaker of the Ab-

The Ownership Question.

The gang organ last week contained an article in which a number of names are applied to the editor of THE JOURNAL, and sandwiched among which is the assertion that D. P. Davis has no "proprietary" interest in the Herald, but was made an "advisory" member of the firm. A man frequently has an interest in a concern where his name does not appear, but the fact of a man being a member of an association and still have only an "advisory" interest looks a little peculiar. But in the case at hand, the reason for the gang organ proclaiming that D. P. Davis has no "proprietary" interest in the concern is found in the records in the office of the district court where judgments are found against D. P. Davis amounting to over \$1,200.00 which have followed him here from Valley county, Neb., and if it was admitted that Davis had any "proprietary" interest in the Herald execution would issue on said judgments. In order to avoid any such state of affairs, W. H. Davis, a minor son of D. P. Davis, is the one who has the "proprietary" interest in the concern and D. P. Davis simply has an "advisory" interest therein. The gang dodged a grand jury last spring on a technicality and now D. P. Davis attempts to be rid of fathering a portion of the rot published in the gang organ on the ground of simply being an "advisory" member of the Herald Publishing Company.

It is repeatedly illustrated that there are a few of the old gang who know that if a constant turmoil is not kept up their occupation would be gone. They came to Sioux county in an early day and got on the inside and proceeded on the line that "public office was a private snare" and things went along right merrily for a time. But after a while new settlers began to come in and new business enterprises began to start up and the people began to inquire into the conduct of public affairs. Then it was that the gang began to realize that the days of their rule were numbered unless they did something desperate. The keeping L. Gerlach and J. M. Robinson from becoming members of the county board was a part of their scheme and another part was to make it as unpleasant as possible for every one who would not be controlled by the gang. The result has been a crusade of abuse, vilification and persecution against a number of citizens, among whom were Conrad Lindeman, N. L. Pollard, W. E. Patterson, H. T. Conley, S. Barker, Thomas Devenport, M. Gavhart, Thomas Reidy, Chas. Grove, John A. Green and others, the purpose of prejudicing people against them, but while the work of the gang has been almost incessant the parties against whom it was directed have continued to rise in the estimation of the people. The fact of the matter is that there is not a dozen people of the county who approve of the work of the gang, but so long as the leaders of the old gang remain in the county, so long will they continue on the line which they have been following for the past two or three years. It would make no difference, if an angel would come direct from heaven and locate in Sioux county and refuse to be "worked" the gang would at once proceed to concoct some kind of a cock and bull story reflecting on his character or business ability and publish it in the organ of the gang.

ELECTION PROCLAMATION ON FUNDING BONDS.

At a special session of the board of county commissioners of the county of Sioux, and state of Nebraska, held on the sixth (6th) day of September, 1890, it was by said board of county commissioners, by and with the consent of the authority in them vested by an act of the legislature of Nebraska, approved March 1, 1879, and amended by the laws of the state of Nebraska, that the following questions be and are hereby submitted to the legally qualified voters of Sioux county, Nebraska:

To the qualified electors of Sioux county, Nebraska: The board of county commissioners of said county hereby submit the following proposition:

That the county of Sioux, state of Nebraska, lease its coupon funding bonds in the amount of eight thousand (\$8,000.00) dollars for the purpose of paying the outstanding indebtedness of said county, and also for the purpose of paying the interest on said bonds existing and now due of said county, and appropriate the proceeds of said bonds to pay the outstanding indebtedness of said county of Sioux, unprovided for by warrants, said bonds to be of the denomination of \$1,000.00 each, dated January 1, 1891, payable at the office of the County Treasurer of said county, and to run twenty (20) years with interest at six (6) per cent. per annum, payable semi-annually, the county reserving the option of paying any or all of said bonds at any time after ten years from the date thereof, if the county commissioners, by a majority vote, order the county treasurer to do so. Said bonds shall not be sold for less than par.

Further, shall there, in addition to the annual levies of taxes for ordinary purposes, be levied and collected a tax annually by law provided for the payment of the interest on said bonds, and such an additional amount be levied and collected, as by law provided, sufficient to create a sinking fund for the payment of said bonds at maturity, or at any time after said bonds have run ten years from the date thereof, if the county commissioners at each time consider it desirable so to do. Provided, that not more than five per cent. of the principal of said bonds, so issued, shall not exceed five per cent. of the assessed value of all taxable property in said county, that no levy shall be made for any part of the principal of said bonds until after ten years from the date thereof.

The form and manner in which the above proposition shall be submitted, shall be by ballot, upon which said ballot shall be written or printed, or partly written or partly printed the words "For funding bonds and levying tax," and all ballots cast having thereon the words "For funding bonds and levying tax" shall be deemed and taken to be in favor of said proposition, and all ballots cast having thereon the words "Against funding bonds and levying tax," shall be deemed and taken to be against said proposition.

The said proposition shall be submitted and voted upon at the next general election to be held in the county of Sioux, and state of Nebraska, on Tuesday, the 10th day of November, 1890. Do W. WEIR, Chairman Board of County Commissioners, Attest: CONRAD LINDEMANN, County Clerk.

Notice to Contractors. Sealed bids and specifications, accompanied by bids for the construction of a bridge across the river between the towns of... will be received by the Board of County Commissioners of Sioux county, at the office of the county clerk at Harrison, Nebraska, on Tuesday, the 10th day of November, 1890, at 10 o'clock A. M. The specifications for the construction of a bridge across the river between the towns of... will be found in the office of the county clerk at Harrison, Nebraska, on Tuesday, the 10th day of November, 1890, at 10 o'clock A. M. The Board reserves the right to reject any and all bids.

PROCLAMATION.

WHEREAS, A joint resolution was adopted by the legislature of the state of Nebraska, at its twenty-first session thereof, and approved March 20th, A. D. 1889, proposing an amendment to sections two (2), four (4) and five (5) of Article six (6) of the constitution of said state, and that said section as amended shall read as follows, to-wit:

Section 1: That section two (2) of article six (6) of the constitution of the state of Nebraska, be amended so as to read as follows:

Section 2: The supreme court shall consist of five (5) judges, a majority of whom shall be necessary to form a quorum or to pronounce a decision. It shall have original jurisdiction in cases relating to revenue, civil cases in which the state shall be a party, mandamus, quo warranto, habeas corpus, and such appellate jurisdiction as may be provided by law.

Section 3: That section four (4) of article six (6) of the constitution of the state of Nebraska, be amended so as to read as follows:

Section 4: The judges of the supreme court shall be elected by the electors of the state at large and their terms of office, except as hereinafter provided, shall be for a period of five (5) years.

Section 5: That section five (5) of article six (6) of the constitution of the state of Nebraska, be amended so as to read as follows:

Section 6: At the first general election to be held in the year 1890, and after the adoption of this amendment to the constitution, there shall be elected three (3) judges of the supreme court, one of whom shall be elected for the term of one (1) year, one for the term of three (3) years and one for the term of five (5) years, and at each general election thereafter there shall be elected one judge of the supreme court for the term of five (5) years. From and after the expiration of the term of one (1) year, the judges of the supreme court whose terms have not expired at the time of holding the general election of 1891 shall continue to hold their office for the remainder of the term for which they were respectively elected under the present constitution.

Section 7: That each person voting in favor of this amendment shall have written or printed upon his ballot the following:

"For the proposed amendment to the constitution relating to the number of supreme judges."

Therefore, I, John M. Thayer, Governor of the state of Nebraska, do hereby give notice in accordance with section one (1) of article fifteen (15) of the constitution and the provisions of the act entitled "An Act to provide the manner of proposing all amendments to the constitution and submitting the same to the electors of the state." Approved February 15th, A. D. 1877, that said proposed amendment will be submitted to the qualified voters of the state for approval or rejection at the general election to be held on the 10th day of November, A. D. 1890.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Nebraska, Done at Lincoln this 30th day of July, A. D. 1890, and the twenty-fourth year of the state and of the independence of the United States the one hundred fiftieth.

By the Governor, JOHN M. THAYER. BENJAMIN R. COWBERT, Secretary of State.

PROCLAMATION.

WHEREAS, A joint resolution was adopted by the legislature of the state of Nebraska, at its twenty-first session thereof, and approved March 20th, A. D. 1889, proposing an amendment to Section Thirteen (13) of Article Six (6) of the constitution of said state; and that said section as amended shall read as follows, to-wit:

Section 1: That section thirteen (13) of article six (6) of the constitution of the state of Nebraska be amended so as to read as follows:

Section 2: The judges of the supreme court shall each receive a salary of thirty-five hundred dollars (\$3,500) per annum and the judges of the district court shall receive a salary of three thousand dollars (\$3,000) per annum, and the salary of each shall be payable quarterly.

Section 3: Each person voting in favor of this amendment shall have written or printed upon his ballot the following:

"For the proposed amendment to the constitution, relating to the salary of judges of the supreme and district courts."

Therefore, I, John M. Thayer, governor of the state of Nebraska, do hereby give notice in accordance with section one (1) of article fifteen (15) of the constitution, and the provisions of an act entitled "An act to provide the manner of proposing all amendments to the constitution and submitting the same to the electors of the state." Approved February 15th, A. D. 1877, that said proposed amendment will be submitted to the qualified voters of this state for approval or rejection at the general election to be held on the 10th day of November, A. D. 1890.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Nebraska, Done at Lincoln, this 30th day of July, A. D. 1890, and the twenty-fourth year of the state, and of the independence of the United States the one hundred fiftieth.

By the Governor, JOHN M. THAYER. BENJAMIN R. COWBERT, Secretary of State.

PROCLAMATION.

WHEREAS, A joint resolution was adopted by the legislature of the state of Nebraska, at its twenty-first session thereof, and approved February 15th, A. D. 1889, proposing an amendment to the constitution of said state, and that said amendment shall read as follows, to-wit:

Section 1: That at the general election to be held on the Tuesday succeeding the first Monday of November, A. D. 1890, there shall be submitted to the electors of this state for approval or rejection an amendment to the constitution of this state in words as follows:

"The manufacture, sale and keeping for sale of intoxicating liquors as a beverage are forever prohibited in this state, and the legislature shall provide by law for the enforcement of this prohibition. And there shall also at said election be separately submitted to the electors of this state for their approval or rejection an amendment to the constitution in words as follows: 'The manufacture, sale and keeping for sale of intoxicating liquors as a beverage shall be licensed and regulated by law.'"

Section 2: At each election, on the ballot of each elector voting for the proposed amendments to the constitution, shall be written or printed the words: "For proposed amendment to the constitution, prohibiting the manufacture, sale and keeping for sale of intoxicating liquors as a beverage," or "Against the proposed amendment to the constitution prohibiting the manufacture, sale and keeping for sale of intoxicating liquors as a beverage."

Section 3: If either of the said proposed amendments shall be approved by a majority of the electors voting at the said election, then it shall constitute section twenty-two (22) of article six (6) of the constitution of the state. Therefore, I, John M. Thayer, Governor of the state of Nebraska, do hereby give notice in accordance with section one (1) of article fifteen (15) of the constitution and the provisions of the act entitled "An act to provide the manner of proposing all amendments to the constitution and submitting the same to the electors of the state." Approved February 15th, A. D. 1877, that said proposed amendment will be submitted to the qualified voters of the state for approval or rejection at the general election to be held on the 10th day of November, A. D. 1890.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the state of Nebraska, Done at Lincoln this 30th day of July, A. D. 1890, and the twenty-fourth year of the state and of the independence of the United States the one hundred fiftieth.

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