

THE NORTHWESTERN

GEORGE E. BENSCHOTER, Editor & Pub.

LOUP CITY, NEBRASKA

NEBRASKA NEWS.

Many cattle are being fed in Cedar county and all are doing well.

The new Christian church at Burwell was dedicated Sunday, Jan. 10.

The citizens of Fremont are after a \$1,000,000 beet sugar factory this year.

N. P. Hult of Wausa lost 100 hogs in the storm which ushered in the new year.

Miss Alice Thomason has been appointed superintendent of school in Burt county.

The late snow, quite general in this state, is not favorable to the big corn piles here and there.

For assault upon his wife, Anton Bernasek, of Saunders county got one year in the penitentiary.

The Falls City creamery building was totally destroyed by fire. The loss is partly covered by insurance.

Harry Rice, the 13-year-old son of C. E. Rice, a blacksmith of North Platte, was thrown from a horse and killed.

The people of Dixon recently gave a ball the proceeds of which, \$60, were used to purchase a bell for the school house.

Nine thousand sheep passed through Superior in the course of two days, on their way to the corn fields of Dodge county.

The attendance at the winter term of Gates college at Neligh is greater than ever before in the history of that institution.

Mrs. Idaho Case of Wahoo, sued her mother-in-law for slander, asking \$10,000 damages. On the third trial the jury gave her \$2,700.

A temperance revival at Laurel has been the means of inducing several old toppers to sign the pledge and drink buttermilk in lieu of beer.

There is seventeen inches of ice at Valentine, and it is being harvested with a great rush by the Elkhorn road for all of its houses along the line.

The Nebraska press association had the annual meeting at Grand Island last week. Citizens of that place entertained their visitors in royal manner.

The Columbus fire department is making great preparations to entertain the visitors on the occasion of the fifteenth annual convention of the Nebraska state volunteer firemen's association.

It is reported that a motion will be made at the adjourned term of the district court in Thurston county for a change of venue in the Goodmans case. If the change is granted the case will be taken to Dakota county.

The Hastings Presbyterian college starts the winter term with the largest enrollment of students the institution has had for over five years. Under President Patterson's management the college is rapidly coming to the front.

August Zuhlike, a German farmer living four miles south of Bancroft, while hunting rabbits, slipped on some ice and the neighbors saw him and carried him home.

The report of the county commissioners of Madison county shows that in the four years the county has owned and conducted a poor farm a saving of nearly \$3,000 a year has been effected in the cost of caring for the poor of the county.

Robber entered the vault of the Bank of Fairbairn and broke open several private boxes, but did not molest the safe. They secured \$10 in money, \$100 worth of postage stamps, and took with them a team, carriage and harness belonging to C. Schlitt.

The work of tearing down the walls of the State Normal dormitory recently burned at Peru, was begun last week. It is found that nearly all the brick in the walls can be used again. This will materially decrease the amount of funds necessary to rebuild.

The record for Polk county for the year 1895 shows that there were 223 farm mortgages filed, amounting to \$206,324; there were released 199, amounting to \$160,080; city mortgages filed, seventeen, amounting to \$7,564; released, thirty-eight, amounting to \$23,939; chattle mortgages filed, 1,132, amounting to \$481,896; released, 737, amounting to \$143,317.

The Nebraska state historical society in session in Lincoln, re-elected all the old officers, as follows: J. Sterling Morton, president; R. W. Furnas, first vice president; W. S. Summers, second vice president; C. H. Gere, treasurer; H. W. Caldwell, secretary. The report of Treasurer Gere showed a balance on hand January 14, 1896, of \$2,262.66; warrants drawn, \$1,507.72; balance in state treasury, \$693.04; total balance, \$1,148.14.

The sugar beet raisers in the vicinity of Grand Island have taken active steps to bring the importance of making an appropriation for the payment of the sugar bounty before the legislature. At a meeting at which about 100 of these beet raisers attended a committee was appointed to prepare suitable memorials to the legislature and to interest the beet raisers in other counties in the effort and secure their cooperation.

Tom Hempstead, a lad of 11 years, while out hunting in Surley county with his brother and Willie Gebringer, boys of about the same age, was accidentally shot. He was lying in the act of raising his gun to shoot at a mark, when young Hempstead stepped in front of him and received the charge of shot in the hip at close range. The whole charge passed through the leg, shattering the bone and rupturing blood vessels from which he died in a few hours from loss of blood.

J. M. Henderson, a farmer residing near Wahoo, while out milking, had a stroke of paralysis. He had sufficient life left to crawl out of the way of the hogs in the yard. He was discovered by members of his family and removed to the house, where he lies in a critical condition.

William True of Nebraska City, a freeman on the Burlington, was surprised when he returned home the other day by finding a note from his wife stating that she had left for parts unknown. She left her children with a friend and disappeared. There is no reason why she should leave as her home life had always been happy.

GOVERNOR'S MESSAGE

A VERY LONG AND ABLE DOCUMENT.

The Nebraska Executive Dismisses State Affairs Thoroughly and With Becoming Dignity—Defends the State and Makes a Number of Recommendations.

SECTION THREE.

Penitentiary.

By the census of 1895 it was shown that Nebraska had a population of 1,168,931. At the population has increased to 1,259,000.

By an examination of the report for the biennial period ending November 30, 1894, it will be found that the average number of prisoners in the penitentiary was 1724, and the average number per year for the biennial period just closed as shown by the report of the present warden, is 1765.

The number of prisoners confined in the penitentiary November 30, 1894, was 211; while the number imprisoned November 30, last, or at the end of the biennial period, was 275, thus showing a considerable decrease. It will also be observed, by the report of the warden and communications submitted herewith, that executive clemency has been exercised with less frequency than during the years previous, and the number paroled only a little in excess thereof.

These statistics disclose Nebraska standing in a very enviable position respecting the low percentage of criminality, as well as that of illiteracy, thus confirming the axiom that ignorance and vice go hand in hand.

The condition of the penitentiary upon the whole is very good. The present management has taken advantage of the opportunities which have been offered for improvement. A careful study of the history of the penitentiary since its organization failed to disclose any material improvement in its existence during which greater progress was made than during the biennial period just closed. Credit for this condition is due to the efficiency of the management.

The fact that discipline is being maintained in a judicious policy has improved the standard of morals in the penitentiary, as well as made large reductions in the expenditures. This good record has been made by the warden, despite the fact that he has been visiting the care and custody of most of those with whom he has had official relations in his management.

MANAGEMENT.

The question of the management of penitentiaries is of course, a difficult one under most favorable circumstances. There are various methods of management, each having warm advocates. While the encouragement of any method of management which tends to develop the salutary features of prison life appeals strongly to the sympathetic and humane sentiments of mankind, yet it is to be borne in mind that the place should not be made so inviting that the careless and wickedly disposed will commit deeds of lawlessness without fearing the punishment to follow.

The humanity of the present age demands that punishment for violation of laws by inmates of our penitentiaries shall not be inflicted barbarously, inhumanly, or in any manner that would tend to stifle the better sentiments of a man, even though a violator of the law; but rather that the punishment be humane, yet reasonable, and fixed, certain and determined in its character. This may be brought about by confinement in the penitentiary in solitary cells, in restraint of liberty, in strict and rigid discipline, in plain, simple and healthy food, in clean and wholesome clothing of the most common quality and some particular uniform color and hard, steady and constant labor.

I do not believe in a sentimentality that would supply to the prisoner, convicted frequently of the most heinous crimes, knowledge to mankind, with every luxury, form of amusement or recreation that would be regarded as special privileges by many who lead a humble, yet honest and upright life. I believe in classification of the prisoners, so far as their work is concerned, and placing the older and more hardened criminals from those who have committed, perhaps under mitigating circumstances, their first offense; and who sincerely repent, desiring to pay the penalty for the broken law, and retrieve the mistakes of the past, and lead an honest and upright life. Such prisoners should receive all reasonable encouragement. This, it seems to me, might properly be done by constructing new cells in the new cell house in the east wing of the penitentiary, which is now used as a chapel. This would render it less difficult to maintain this class of prisoners without coming in contact with the more hardened class.

While some advocate changing the striped clothing customary to be used in prisons all over the country, I doubt the propriety of it. I understand it has been tried out in very few prisons and has been found to work not very satisfactorily. Its advocates say it is degrading and humiliating to the offender to be required to wear this kind of a broken law. It can be worn with quiet dignity, and it is humiliating to be put in prison and restrained of one's liberty. The logical course of such reasoning would be to discharge all the prisoners and tell them to go their way and sin no more. We must come face to face with the practical side of depraved humanity and prison management of such, as well as to have the theoretical.

We have had in this state almost ever since its organization a form of prison management that has been debasing and degrading, a system of leasing the penitentiary and the convicts therein to selfish leaseholders for the purpose of private gain. We have at least five instances of this objectionable feature of prison management. The last session of the legislature passed an act providing for the amendment of the laws of the prison and prisoners and also providing an appropriation for the payment of what should be found to be due the lease by the cancellation of the lease. Under the provisions of the act the lease was cancelled, the appropriation being made by the legislature for that purpose being exhausted in the payment. This report is on file in the office of the land commissioner. The state is to be congratulated upon the consummation of such a laudable act, that of cancelling the lease, even at the expense it incurred.

CONVICT LABOR.

After the state had taken full control and possession of the penitentiary and the leaseholders, an effort was made by the board of public lands and buildings to again lease the penitentiary grounds, machinery and labor, thus returning to the objectionable system from which we had just freed ourselves. As a result of the intention of the board came to my notice, I took occasion to communicate to them my views in regard to the matter. In the course of a private asking that the state should retain control of the penitentiary and the labor of its convicts, as well as the soil lease and which by the terms of the contract in force during the period for which the lease was made, they had never, proceeded to again lease the penitentiary grounds and property, as well as the labor of its convicts, subject to the sub-contract mentioned. It occurred to me that the contract did not properly provide for the interests of the state, and I suggested to the board of public lands and buildings that the contract be cancelled and should not be recognized as a legal and binding contract on the part of the state. This was done and the contract was cancelled. The contract was cancelled and the state declined to recognize the validity of the contract. The controversy was submitted to the supreme court, and an opinion rendered in the effect that the attempt to

again lease the prison and the labor of the convicts was illegal and that the board had exceeded its authority.

After the decision of the supreme court, the board called in Mr. James Whitehead and under the designation of agent of the board he assumed to perform some duties connected with the management of the penitentiary, which might very properly have been done by the warden, under the direction of the board. The report of the board is appended to this message with the report of the land commissioner. I am satisfied that he has accomplished nothing that might not have been done by the warden, and that the expenditure by his communications were utterly needless. It is disclosed by the report of the agent that there has been collected by him, as the proceeds of the labor of the convicts, \$14,280.73. Of this amount there was expended \$10,914.57, and paid into the state treasury \$4,115.68.

These expenditures I regard as having been made without authority of law. All moneys derived from the labor of convicts should, it would seem, be turned into the state treasury, and drawn therefrom on approved vouchers, as in other cases, in the manner provided by law. The board having the power to make provisions for the proper employment of idle convicts seems not to have exercised this authority, except temporarily from time to time, as shown by the report of the agent of the board. It also appears that the contracts or agreements temporarily entered into were at a much lower figure than herebefore.

NEW LAW NEEDED.

I have thought it proper to go into details to some extent regarding the history and condition of this institution, as it seems necessary that there should be an early revision of the law respecting its future management. Under the lease system there have been established different industries at the institution for the purpose of utilizing the labor of the convicts for the maintenance of the institution, and are yet owned by them. There are now in operation a broom factory, a harness factory, a cooper establishment and a shoe factory. The capacity of these several industries is perhaps large enough to utilize all of the labor of the convicts not required in the management of the institution. If arrangements could be made for the continuance of these industries at a reasonable rate of wages for the labor of the convicts, with suitable provisions and restrictions to fully protect the rights of the convicts and the state, it would be a most desirable method of utilizing the labor of the convicts without incurring expense on the part of the state or loss occasioned by inaugurating an enterprise which cannot successfully be carried out. In this respect the state is in a most favorable position, and it is my belief that the penitentiary should be made self-sustaining, or as nearly so as possible. Prisoners in several states are, as I am advised, entirely self-sustaining by the sale of their own labor. 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