

The CHIEF

Red Cloud - - Nebraska

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GEORGE NEWHOUSE - - Manager

MRS. THAW'S STORY

HER EXPERIENCE WITH WHITE AGAIN DETAILED ON STAND.

Recital Broken into Bits by Multitude of Objections Interposed by Jerome. Thaw's Wife Matches Wits With District Attorney and His Assistant.

New York, Jan. 21.—Mrs. Evelyn Nesbit Thaw told her story for the second time: The repetition lacked the vitality of the first recital, but she drew great crowd in the court, where her husband, Harry Kendall Thaw, is on trial for the killing of Stanford White, listened intently to every word. Justice Dowling had ruled that he found no warrant in the law for closing the doors against the public, and there was a great clamor for admission from the throng, which hung about the building all day long. District Attorney Jerome, falling in his move to exclude spectators, took occasion when it came his turn to cross-examine the witness to bring out all of the details of the first trial, which



EVELYN NESBIT THAW.

Mr. Littleton of the defense had omitted on his direct inquiry of the witness. Mr. Jerome also tried to block Mrs. Thaw's testimony in its entirety, on the ground that it was a conversation which occurred three years before the tragedy and could not have any bearing on Thaw's mental condition on the night of the homicide. Justice Dowling overruled the objection.

Mrs. Thaw's story was broken into bits by constantly repeated objections from the prosecution, who sought to exclude all details on the ground of immateriality. The frequent objections led Justice Dowling to request Mr. Littleton to cut his examination as short as possible. Littleton took this course only to find that on cross-examination Jerome insisted upon reading from last year's record nearly every word the witness had then uttered. He did this under the privilege of framing new questions.

Littleton's Objections Sustained.

Littleton objected to it, declaring that the district attorney, by reading the former testimony in a disagreeable manner, was trying to discredit her in the eyes of the jury when he could not discredit her in any way by a direct question. Jerome made no attempt to disguise a tone of complete contempt in reading the testimony. Contempt also characterized most of the questions he put to the witness, whom he attacked in the loudest voice he has yet used at the trial. Jerome plunged at once into the more intimate details of the testimony and made no delicate choice of words in framing his interrogations. Littleton's objections on the ground of "offensiveness and impropriety" frequently were sustained by the court.

Mrs. Thaw matched wits against both District Attorney Jerome and his assistant, Mr. Garvan, who was ever at his chief's elbow with new suggestions. She fenced with them as skillfully as she did a year ago and at times reflected the mood of the district attorney by answering in a voice pitched in as loud a key as his own. The prosecutor's pitiless and aggressive questions often struck fire, and once, when Jerome demanded to know if the young woman had told Thaw certain things, she replied hotly:

"Yes, I told him, but I did not use the language you are using."

"Don't argue with me, madam," shouted Jerome, who then had the reply stricken from the record.

But one feature appeared in the testimony of the witness. This was when she told about Thaw swallowing the contents of a bottle of laudanum at Monte Carlo in 1904, in an attempt

to end his life. Previously to this, at the Grand hotel, in New York, Thaw had talked of suicide, his wife declared, and had suggested that she also should take poison, as both their lives had been ruined.

Mrs. Thaw said she humored Thaw at the time and diverted his mind. She was out of the room when he finally took the poison in Europe. "Why didn't you tell us about this at the first trial?" demanded Jerome. "Because Mr. Delmas said it might make Harry out too crazy," the witness retorted before the district attorney could stop her.

Ten Killed in Italian Train Wreck.

Milan, Jan. 21.—Ten persons were killed and many injured in a collision between an express train from Rome and a train coming from Bergamo near this city. The catastrophe was further aggravated by a train from Milan, which ran into the wreckage of the two ill-fated trains.

M'PHERSON KNOCKS OUT LAW

Missouri Statute Regulating Transfer of Suits Held Invalid.

Kansas City, Jan. 21.—Judge Smith McPherson, in the United States district court here, declared void and unconstitutional the statute passed by the Missouri legislature in 1907 forbidding foreign corporations from transferring suits brought against them from the state to the federal courts upon pain of forfeiture of their charters. The application of railway companies for an injunction to prevent John E. Swanger, secretary of state, from enforcing the law was granted by the court.

"Officers of the state," said Judge McPherson, in his decision, "too often deify the power of the nation. State rights is their shibboleth. The most attractive argument to some lawyers of recent days is that the state courts alone in the first instance should pass upon the question as to the validity of state statutes, with the right of the defendant party to carry the case for final decree to the supreme court of the United States. Such arguments are plausible, are convincing to many good people, but are so dangerous as to amount to a heresy."

"In the case at bar," he said, "a license to do business is not the question. Each of the companies invested millions of dollars and it is now in the state and cannot remove. To prevent it from doing business means appropriating its property, or destroying it, without making any compensation therefor."

RUEF TO BE TRIED FIRST

Langdon Determined to Push Case Again San Francisco Boss.

San Francisco, Jan. 21.—The prosecution made its first move to place Abraham Ruef on trial on one of the 157 indictments returned against the former political boss in connection with bribery-graft cases. The sentiments and feeling of the prosecution against the former political boss was plainly shown by the announcement in court that not only is Ruef to be placed on trial at once, but the cases against Patrick Calhoun, president of the United Railways, against whom Ruef was to have been a star witness and who was to have been tried next, may be postponed that Ruef may be placed on trial first.

When the case of Calhoun, Tiley L. Ford, Thornwell Mullally, Eugene E. Schmitz and Ruef in the matter of the trolley franchises came up before Superior Judge Lawler, District Attorney Langdon asked that all cases be continued until Jan. 28, and announced: "On that day we will proceed with the trial of Abraham Ruef."

Attorney Keale, who represented Ruef, made a vigorous protest, asking more time. Judge Lawler declined to give Ruef more than two days to secure counsel, and continued all the cases until tomorrow.

TWO-CENT FARE LAW INVALID

Pennsylvania Supreme Court Holds it Unconstitutional.

Philadelphia, Jan. 21.—The 2-cent railroad fare law now in force in Pennsylvania was declared unconstitutional by the state supreme court, which handed down an opinion affirming the decision of the common pleas court of Philadelphia, rendered last September. The vote of the court was 4 to 3, the dissenting opinion being handed down by Justice Mestrezat.

The railroad contended that the law was unconstitutional in that it was unreasonable and confiscatory, and the court in its decision sustained the company's contention.

"The corporation is entitled to make a fair profit on every branch of its business subject to the limitation that its corporate duties must be performed even though at a loss. What is a fair profit is a highly complicated and difficult question. The court below availed themselves of all the best evidence that was offered or shown to be attainable, considered it with exemplary patience and care, and their conclusion that the enforcement of the act of 1907 against the complainant would do injustice to the corporation is beyond just criticism."

BANKERS FINISH MONEY BILL

Measure Will Be Presented to Congress Soon.

Chicago, Jan. 20.—The resolutions committee of the currency commission of the American Bankers' association issued a full report of the meeting of the commission at which the various asset currency plans now before congress were discussed and rejected. The report, which is a lengthy document, summarizes the commission's objections to the Aldrich bill and the present Fowler bill and then presents a bill in thirteen sections, in which the commission, with the backing of the association, will recommend to congress. The Aldrich bill is declared to be "impracticable, unwise and financially unsound." The Fowler bill, according to the report, "introduces schemes so far-reaching in their scope and touching so many collateral interests not germane to the real solution of our currency difficulties that we believe its passage would unsettle, rather than improve, financial conditions."

The bill proposed by the commission contains the following provisions:

"That any national bank may take out 'national bank guaranteed credit notes' up to 40 per cent of the amount of its bank notes secured by government bonds, but in no case to exceed 25 per cent of its capital.

"Upon the total amount of these credit notes the bank must pay a tax of 1 1/4 per cent semi-annually.

"In addition to this, 40 per cent of the amount of its bank notes, the bank may issue further credit notes up to an additional 12 1/2 per cent of its capital, but upon these notes the bank must pay 2 1/2 per cent semi-annually—a rate which is practically prohibitive, made so in order to prevent too great circulation of the credit notes.

"A cash reserve of 25 per cent of the amount of notes taken out must be held in banks, in reserve cities, and a reserve of 15 per cent in cash must be held by institutions in other cities.

"The taxes must be paid in gold coin and will be a guarantee fund to redeem notes of failed banks."

BANKER WALSH CONVICTED

Jury Returns Verdict Carrying Minimum of Five Years in Prison.

Chicago, Jan. 20.—John R. Walsh, former president of the Chicago National bank, which closed its doors in December, 1906, was found guilty on fifty-four counts of the indictments against him, charging misapplication of the bank's funds. The verdict was returned by a jury in the federal district court here. Walsh was permitted to remain at liberty under the bond furnished by him after the indictment had been returned against him one year ago to a day, pending the hearing of arguments on Jan. 28 on a motion by his counsel for a new trial. The penalty fixed by the statutes for the offense of which the aged financier was convicted is imprisonment for not less than five years or more than ten, for each count upon which his guilt was established.

HARVESTER TRUST FINED

Found Guilty on Forty-Three Counts of Indictment and Assessed \$12,600.

Topeka, Jan. 20.—Judge Dana in the Shawnee county district court here assessed a fine of \$12,600 against the International Harvester company, which the court found guilty on forty-three counts of violating the Kansas anti-trust law. The maximum fine is \$1,000 a count, and the minimum \$100. The company was given a stay of execution for sixty days to prepare a case for the supreme court.

The specific charge was made by the state that implement dealers in Topeka were compelled to sign a contract with the International company to handle no other harvesting machinery save that made by the International Harvester company, and the schedule of prices was not to be violated.

CHARLES EMORY SMITH DEAD

Former Postmaster General Passes Away in Philadelphia.

Philadelphia, Jan. 20.—Charles Emory Smith, editor of the Press former minister to Russia and postmaster general, died suddenly at his home in this city, aged sixty-five years. Death was caused by heart trouble.

The practical establishment of rural delivery and the creation of the mail service in Cuba, Porto Rico and the Philippines marked his tenure of office as postmaster general.

Mr. Smith was twice married, his second wife being Miss Henrietta Nichols of New York, whom he married at the home of her mother, Mrs. Washington Romaine Nichols, at Elberon, N. J., on Oct. 3 last. Besides the widow, he is survived by a brother and a sister.

Tin Mills Resume Operations.

Newcastle, Pa., Jan. 20.—Operations were resumed in full in the Greer tin mill, giving employment to 1,500 men, who have been idle for three months. The tinning department of the Shephard tin mill, which has been idle for six months, resumed today, affecting 500 men.

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FRANK BARKER IS HANGED.

Red Cloud Murderer Expiates His Crime on the Gallows.

Lincoln, Jan. 18.—Frank Barker was hanged at the penitentiary for the murder of his brother, Daniel, and the latter's wife on a farm near Red Cloud, Feb. 1, 1904. Barker never displayed the slightest emotion, walking to his doom with steady step. He did not utter a word on or off the gallows. The execution was witnessed by some seventy-five persons.

Judge Hamer, the murderer's attorney, kept up a continual fight for his client. The dramatic struggle to evade the death penalty lasted almost four years, and continued until five minutes before the period designated for Barker's execution elapsed.

Funeral of Isaac S. Hascall.

Omaha, Jan. 20.—Isaac S. Hascall, who died at St. Joseph's hospital of paralysis, was buried at Forest Lawn under the auspices of the Masons. Judge Hascall was seventy-seven years old and had practiced law in Nebraska for forty-two years. He was a member of the Nebraska constitutional convention and cast the deciding vote which made Nebraska a free soil state. He was at one time acting governor of Nebraska.

Professor Baetens Kills Self.

Omaha, Jan. 20.—Only one day after his eighty-second birthday, while in a fit of despondency, produced by illness and inability to meet his classes in music, Charles Baetens, the veteran musician, who for years has been one of the most prominent figures in Omaha musical circles, shot and killed himself in the bathroom of the house where he roomed, 629 South Nineteenth street.

Paxton Estate Valued at \$228,336 Net.

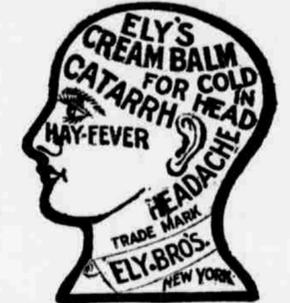
Omaha, Jan. 18.—The estate of William A. Paxton, Sr., will contribute \$2,083.36 to the permanent road fund of the county under the inheritance law. The appraisement places the net value of his estate at \$228,336.12. His total assets were appraised at \$338,188, and there were found valid claims against this of \$109,851.12.

Sophomore Released by Freshmen.

Lincoln, Jan. 17.—The freshman class of the State university voted to release Dale McDonald, president of the sophomore class, in order to save six members of the freshman class from expulsion. A telegram was immediately sent to Rockford, in Gage county, where McDonald was confined.

Agent Ordered at Station.

Lincoln, Jan. 20.—The railway commission issued an emergency order to prevent the Burlington Railroad company from closing its station at Dickens, Lincoln county, except upon good cause shown to the commission. There is some question about the power of the commission to issue the order.



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