

The Valentine Democrat

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TO BORROW BIG SUM

FRISCO NEEDS GREATER AID THAN CHARITY AFFORDS.

Must Have Loan to Rebuild—May Ask Congress to Guarantee Bonds—Interest on Ordinary Loan Would Be Too High.

The second Sabbath since the fatal April 18 has served as a clearing house in the affairs of San Francisco. While the oldtime quietude is missing, the day has witnessed less of the excitement, confusion and clamor of its immediate predecessors, and the community at large has been enabled to make a calmer survey of the situation and to enter into a more intelligent and rational preparation for the future.

As far as possible work was suspended for the day and the tired officials, who for nearly two weeks have labored incessantly with little sleep to bring a semblance of order out of chaos, took advantage of the lull to secure greatly needed rest and to pay some attention to pressing personal needs.

With the advent of the Sabbath came an opportunity to review the tremendous accomplishments of the past eleven days, to provide remedies in the defects in the task to judiciously care for all classes of the destitute irrespective of race or creed. Plans for solving the tremendous financial problems that confront the city began Sunday to assume tangible form, and the Sunday closed with the brightest prospect that has faced San Francisco since three-fourths of its territory was laid waste.

At the meeting Sunday at which were present James D. Phelan, chairman of the finance committee, and some noted lawyers and bankers a plan was broached for financing the city which it is hoped will meet with the indorsement of the general committee. It being estimated that the city has suffered a loss of at least \$200,000,000 by fire, it is considered that there is not sufficient money in San Francisco to reconstruct the city and that the people there must look elsewhere for funds to rehabilitate their destroyed fortunes.

Mr. Phelan said that if the money is borrowed through ordinary channels the rate of interest will add a burden to necessarily increased taxation that will be too heavy to bear. The plan of Mr. Phelan is to frame legislation to present to congress asking the United States to indorse the proposed bonds of San Francisco. With this guarantee of the government the city will be able to go into the financial markets of the world and borrow the needed money at 2 or 2½ per cent, the bonds to run for fifty years and constitute a mortgage on the best portion of the city.

TEACHERS IN A TRAGEDY.

Head of Deming Schools Kills Rival New Mexico Educator.

W. H. Dickey, superintendent of the Deming, N. M., public schools, Saturday shot and killed U. Francis Duff, superintendent of the Tuna County schools, one of the most prominent educators in New Mexico and a student of archaeology, who has achieved a national reputation by his writings. The shooting occurred in front of the postoffice, both men firing simultaneously. Duff fell dead with a bullet through his head. Dickey was shot in the side, but is not believed to be fatally wounded.

There had been bad blood between the men for some time.

Officer "Disciplined" for Murder.

Col. Yermelov, who during the riots at Moscow in December, while employed in the police service, killed a revolutionist in the latter's home in the presence of his wife and children, has been sentenced to four years with a disciplinary battalion and the loss of all rights.

To Crucify Moroccan Murderer.

A dispatch from Nogador, Morocco, says that a cobbler at Marrakesh named Megewi will be crucified on May 30 for the murder of six women whose bodies were found buried under his shop and in his garden.

President and Wife Return.

President and Mrs. Roosevelt, who left Saturday for a cruise down the Potomac on the Sylph, returned to Washington at 8:30 o'clock in the evening and were driven directly to the White House.

Sioux City Live Stock Market.

Saturday's quotations on the Sioux City live stock market follow: Butcher steers, \$4.70@5.25. Top hogs, 6.35.

To Protect Auto Victims.

At Berlin the government Saturday introduced a bill obliging automobilists to pay annuities to those dependent upon persons killed by their motor cars or to persons permanently injured.

Earthquakes in Saxony.

A Berlin special says: Several villages in Saxony experienced four earthquake shocks Saturday. No damage was done, but the inhabitants were greatly alarmed.

HARVARD TEACHER ACCUSED.

Alleged Wife Murder by Prof. Erich Muentner.

The Cambridge, Mass., police Friday night issued a warrant for the arrest of Erich Muentner, an instructor in German at Harvard university, on a charge of murdering his wife in that city about two weeks ago. It is alleged that Mrs. Muentner's death was caused by arsenic. The body was taken to Chicago on April 17, but the case was not made public until Friday evening. Muentner was born in Germany. He formerly taught school in Chicago and before coming to Harvard, less than two years ago, he was an instructor at the University of Kansas at Lawrence, Kan.

Muentner is 25 years of age. His wife was formerly Miss Leone K. Krembs, of Chicago. The attention of the authorities was called to the case just after the woman's death April 16. Ten days before that time a child was born to Mrs. Muentner, who was attended by a faith cure doctor and by two nurses of the cult. The physician was a Mrs. Nicholson, of Winchester. Some time after the child was born regular physicians, Dr. W. Frederick Taylor and Herbert McIntyre, were called. Both decided that Mrs. Muentner was suffering from some ailment of the stomach. They prescribed for her, but later, it is alleged, withdrew because they ascertained their directions were not being followed. Mrs. Muentner died April 16.

Muentner applied to Dr. McIntyre for his signature to the certificate of death, but Dr. McIntyre decided that the case needed investigation and notified the medical examiner, who performed an autopsy and sent the stomach to Prof. W. F. Whitney, of the Harvard Medical School. Muentner and the two nurses were then permitted to take the body to Mrs. Muentner's former home in Chicago.

The party left Cambridge April 17. Friday a report of the analysis of the stomach was received by Medical Examiner Swan.

Prof. Whitney reported that he had found marked traces of arsenic and District Attorney Sanderson notified the Cambridge police. A warrant for Muentner, charging him with the murder of his wife, was issued and the Chicago police have been notified to hold the man if he can be found. Arrangements are being made to send out circulars containing a complete description of him.

RAIN ADDS TO THEIR MISERY.

Suffering Among the Homeless of San Francisco.

A telephone message received in Los Angeles, Cal., Friday from the correspondent of the Associated Press at Salinas, states three very heavy earthquake shocks were felt there Thursday night. The shocks lasted about four seconds each. As far as known no damage was done.

At San Francisco a heavy downpour of rain prevailed for several hours Friday, and many people were driven into houses for shelter, the tents blowing Friday morning adding to the distress of the homeless. In several instances the people in houses refused to admit women and children in distress and the militia broke down the doors with the butts of their rifles.

ARREST LABOR LEADERS.

Slav Police Raid Secret Congress at St. Petersburg.

At St. Petersburg the police again descended upon the socialist labor leaders and bagged the entire executive committee of the St. Petersburg social democrats and social revolutionists and a number of prominent labor leaders who were holding a secret congress Friday.

Several meetings had been held and the speeches rivaled in virulence the famous meetings of the workmen's council during the October strike. The police had held off, hoping to capture the entire congress, but a warning had been given and a majority of the members escaped.

IS HONORED BY FRANCE.

A Statue of Franklin is Unveiled in Paris.

A Paris dispatch says: The Franklin celebration preceding the unveiling Friday of the statue of Benjamin Franklin, presented to the city of Paris by John H. Harjes, an American banker of this city, was held in the Palace Trocadero Friday afternoon.

Friday's ceremony begun in the Palace before a vast crowd massed on Trocadero square, where the statue of Franklin overlooks the splendid esplanade and avenues leading to the Triumphal arch and the Seine.

Ambassador McCormick opened the ceremony with a short talk.

Stock Market Panicky.

The stock market in New York was thrown into a condition of demoralization during the noon hour Friday by a sudden outpouring of liquidation. The support seemed to be entirely withdrawn and a panicky break in Hill stocks caused a feeling of nervousness and indiscriminate unloading regardless of prices.

Are Charged with Fraud.

Two indictments charging conspiracy to defraud in each case were returned by the grand jury at Chicago Friday against former Judge Abner Smith, Jerome V. Pierce, Susto F. Sorrow and F. E. Creelman in connection with the investigation of the defunct Bank of America.

Says Gapon is in Finland.

The London Daily Mail's correspondent says that Father Gapon is living quietly at Kukokola, Finland.

TORNADO IN TEXAS.

A Number of Persons Killed at Bellevue.

A tornado which swept through Bellevue, Tex., Thursday night destroyed everything in its path and as a result practically the entire town is a mass of ruins, only three buildings now standing. At least eleven persons are dead and a number are injured. The tornado was followed by fire which consumed the wreckage.

This report is being sent from the top of a telephone pole a mile from Bellevue, but it is as close as a wire can be had.

The town of Bellevue consisted of over 200 houses.

Among those who are known to have been killed are: R. L. Russell, wife and four children; A. D. Carr, Tom Mount, W. W. Bell, candidate for county treasurer of Clay County; two members of the Gray family.

The seriously injured are: Two daughters of N. E. Smith, of Bowie; Mrs. Gault, Mr. Gray and seven members of his family, two of whom have since died; Mrs. McGraw.

The whole business section of the town and all stocks of merchandise were destroyed.

A. D. Carr was caught in a building, crushed to death and his body is believed to have been cremated.

The tornado was a mile wide and traveled over the earth for a distance of eight miles, leveling everything. This section is thickly settled and it will be several hours before it will be possible to get a complete report of the dead.

That so few people were killed is accounted for by the fact that practically every house was equipped with a storm cellar and the people ran to them as they saw the tornado approaching. Those who had no storm caves or could not reach them were the ones who suffered. Last winter many lives were lost in the same neighborhood by a tornado.

At Stoneburg heavy damage is reported.

FRANCE FEELS EASIER.

Strong Military Showing Expected to Overawe the Strikers.

A Paris dispatch says: The strike situation has improved before the government's military and police preparations to crush disorder, and public uneasiness has been considerably relieved. Alarmist reports, however, continue to circulate concerning what may possibly happen May 1. One reports says that Spanish and Swiss anarchists have succeeded in bringing forty bombs into Paris. The police are exercising extreme vigilance and are shadowing the chief agitators and watching the centers of disorder.

The elaborate military preparations include stationing 2,000 troops in the basement of the grand palace, where the national art salons are being held. Infantry and cavalry are also strongly posted at other important centers.

FRISCO BANKS REOPENING.

Depositors Are Now Able to Secure Some Money.

"Bankers' row" was organized in Laguna Street, San Francisco, Thursday. Three banks have already placed banners on residences overlooking the tented camps of the refugees in the square. This is bringing together those who have money (in vaults) and those who need it. The clearing house has arranged to pay depositors not exceeding \$500 on their accounts. All vaults in the saving banks were found in excellent condition.

Fifteen of the thirty-nine planing mills escaped the fire, and two are now in operation. The Western Meat Company is in a position to supply a normal output of fresh meat.

For the first time since the earthquake street lights were burning in San Francisco Wednesday night.

TO DISCUSS STRIKE QUESTION.

Miners Will Meet at Scranton on Next Thursday.

After hearing the report of the sub-scale committee the scale committee of the anthracite miners, in session at Wilkesbarre, Pa., Thursday, decided to call a convention of miners at Scranton May 3.

The miners are anxious to ascertain what action is to be taken on the operators' reply, and the convention has been called for the purpose of allowing the men to discuss the question of a strike.

FRISCO CAN SECURE STEEL.

Orders have been issued at Pittsburgh by the officials of the Carnegie Steel Company, making all contracts for structural and other steel material to be used in the reconstruction of San Francisco "emergency orders," giving them precedence over all other contracts.

Dowie is Very Ill.

John Alexander Dowie was said to be suffering from myocarditis Thursday. His condition is considered grave. He is at Chicago.

Passes Primary Bill.

At Springfield, Ill., the senate passed the Stead primary election bill, amended by the primary elections committee, by a vote of 36 to 1.

Overdue Ship Arrives.

The steamer Marco Minghetti arrived at New York Thursday a week overdue. Apprehension had been felt for the safety of the ship, which left Palermo April 4, with 750 immigrants and a crew of 100.

The Phone Linemen to Strike.

About 1,500 linemen of the Southern Bell Telephone and Telegraph Company will go out on a strike. Better pay and fewer hours of work are demanded.

STATE OF NEBRASKA

NEWS OF THE WEEK IN A CONDENSED FORM.

Banker McGreevy is Set Free—Judge Charges Prosecution with Bad Faith and Dismisses Case—Judge Thinks Conviction Impossible.

Expressing his disapproval of the action of the complaining witness and hinting at bad faith in the prosecutions, Judge Westover, at Bassett Saturday night, dismissed eight cases of the state of Nebraska against Bernard McGreevy, which were transferred from Holt County on a change of venue and were to have been tried at that time. A jury was empaneled in one of the cases Friday afternoon, and Saturday morning when the trial was about to be commenced a recess was requested and the day was consumed by complaining witnesses and counsel of defendant in trying to effect a settlement.

These cases grew out of the failure of the Elkhorn Valley Bank, of O'Neill, of which the defendant was president. At the time of the failure McGreevy, with Patrick Hagerty, the cashier, fled and McGreevy was later captured in Arizona and brought back. It appears that the complaining witnesses were unable to agree among themselves on terms of settlement, though it is reported that an offer was made by defendant's counsel which would have resulted practically in payment in full of the indebtedness of the bank.

The attempt at settlement was wholly between the complaining witnesses and counsel for defendant and the prosecuting attorney, and the court was in no way connected with it.

Court reconvened Saturday night at 9 o'clock, and Judge Westover expressed his disapproval of the action of the complaining witnesses and stated that it was his opinion no convictions could be secured in the case on account of the fact that it had become known that the cases were not seemingly being prosecuted in good faith. He declared that not another dollar of Holt County money should be used in prosecuting these cases and he thereupon summarily dismissed all of the cases on his own motion and discharged the defendant.

TESTIMONY IN GRAIN CASES.

Attorney General Brown Puts Number of Dealers on the Stand.

The taking of the testimony in the case wherein Attorney General Brown is seeking to secure a perpetual injunction against certain grain dealers to prevent them from combining to control the prices to be paid for Nebraska grain was begun in the supreme court rooms at Lincoln Thursday morning before Referee Pemberton, of Beatrice. By the heads of a number of prominent grain firms the attorney general, who is assisted by former Chief Justice Sullivan, showed that the terminal elevator owners were paid by the railroads 14 cents a hundred for loading grain to be shipped east of the Mississippi River.

RAILROAD FOR ST. JAMES.

Nebraska Town to Get an Extension of the Omaha Line.

A Hartington special says: The St. James business men who have been industriously at work the past few months to persuade the Omaha road to build an extension from Newcastle now announce that they have a promise from the railway company that the extension will be built. Several of the contractors who are working on the extension of the Hartington branch to Crofton expect to go to work on the Newcastle branch this fall.

Dakota City Raises Fund.

In response to a telegram received from Gov. Mickey asking for aid for the California sufferers, the village board of Dakota City appointed a soliciting committee consisting of Messrs. Gustav Berger, A. T. Haase, George T. Woods and Barney Gribble, who after a day's solicitation reported over \$200 in money subscribed and about \$100 worth of potatoes, beans, bacon, flour, etc., all of which has already been sent on its way.

Lumber Dealers Enjoined.

Judge Letton, of the supreme court at Lincoln, acting upon a petition filed by Attorney General Brown, has issued a temporary restraining order against the members of the Nebraska Lumber Dealers' Association to prevent them from combining to restrain trade or control prices and to prevent the officers from destroying any of the records of the association.

Decision in Platte Bridge Case.

Judge Sullivan has rendered his decision in the bridge case at Schuyler, holding the commissioners are not liable for the bridge. The decision was a surprise, as the people expected the bridge would have to be put in. Probably a suit will be started against Butler County to compel it to stand for half of the expenses of repairing.

Horse Thieves Near Pilger.

Four horses were stolen near Pilger early Thursday.

New Depot at Beatrice.

James Rivett, superintendent of buildings, and H. C. Wortham, contractor, arrived in Beatrice with a force of about forty men, to begin work on the new Burlington depot. The contractor says that the building will be pushed to completion as fast as possible.

Beaten in Street Fight.

At Beatrice William McKinney was brutally beaten Saturday night in a street fight. His assailants have not yet been arrested.

DAKOTA CITY'S LOSS.

Four of Bliven Family Are Killed in Frisco.

A Dakota City special says: From news so far obtainable Dakota County furnished four victims for the great California disaster in the persons of Albert H. Bliven, wife and two daughters, Mrs. Ed Nason and Miss Dolly Bliven.

Edwin E. Bliven, manager of the Akron Milling Company at this place, and son of Mr. Bliven, received the following telegram Wednesday afternoon from San Francisco:

"Albert H. Bliven, wife and two daughters killed at Palace Hotel."

Mr. Bliven was one of the pioneer residents of Dakota County, leaving here about five years ago and locating in Eureka, Cal. Mr. and Mrs. Bliven left home about two months ago for their home in California, after an extensive visit with relatives, Mrs. Bliven being the mother of Messames B. A. Bridenbaugh and Luther L. Heikes and Russell Owens, of this county, and Messames Steve Linkswiler and Sam Cone, of Salix, Ia., while Mr. Bliven has the following sons here: Ed C. Guy and Jay, besides a brother, Norris, at South Sioux City, and another brother, Curtis B. Bliven, of Sioux City.

OBJECTS TO MECHANICAL MUSIC.

Fremont Tailor Has Neighbor Enjoined from Use of Gramophone.

Joseph Rousset, a Fremont tailor, has filed a petition in the district court for an injunction to prevent Frank Studnicka, who occupies the building adjoining his shop, from operating gramophones, talking machines and various other devices for the production of mechanical music in his place of business.

Plaintiff alleges that crowds of people of not very refined character congregated about the place, "spit great gobs of tobacco" on the walk and on the front of his shop, which he is compelled to have cleaned up at much labor and expense; use language not adapted to police society, and that owing to the character of the musical and literary productions, on some occasions a "veritable saturnalia" prevailed down there, which has an injurious effect on the tailoring business. He wants Studnicka and his landlady, Mrs. Mary Hickey, restrained from conducting the business as it runs at present on the ground that it is a nuisance. The application will be heard probably next week.

SUICIDE OVER CATASTROPHE.

Herbert E. Nason, Who Loses All in San Francisco, Takes Life.

Grief over the loss of all his household goods and personal effects in the San Francisco disaster, added to previous ill health, caused Herbert E. Nason to kill himself Tuesday morning at the residence of his wife's parents, 1218 Jackson Street, Omaha.

Nason, who gave no inkling of intended suicide, drank two ounces of carbolic acid and then shot himself in the head. The bullet wound was superficial, but the poison caused death in a short while.

Police Surgeon Morseman reached the scene before Nason died, but the potency of the acid was already of such a character that medical aid was of no avail.

Nason left San Francisco ten hours before the earthquake occurred, arriving in Omaha Friday evening. When the news came that all his goods and chattels had been destroyed he became morose and could not be consoled. He had spells of melancholia.

FEVER HITS FAMILY HARD.

Twelve-Year-Old Boy Dies—Five of Six Children Suffer.

At Leigh Chris Glandt, the 12-year-old son of Mr. and Mrs. P. N. Glandt, died Friday evening of a disease resulting from scarlet fever. For nearly three months this family has had one or more cases of scarlet fever. Five of the six children have had the fever in a malignant form. Trained nurses have been in attendance and the best physicians in the state have given advice. It is announced by the local physicians that no more deaths are likely to occur.

Third Relief Train.

The third trainload of supplies from Omaha and Nebraska for the relief of San Francisco and vicinity left Sunday night over the Union Pacific, running as the second section of passenger train No. 5. Departing the train had only four refrigerator cars, but was to pick up a car from Beatrice at Valley, one at Fremont and one at Columbus, making at least seven before crossing the state line.

Boy Accidentally KILLS Brother.

A Seward dispatch says: A fatal accident occurred at the home of M. J. Eicher, of "N" Township, on Sunday. Mr. and Mrs. Eicher were away from home and their two boys took a rifle and went out to shoot at a mark. While placing the target, in some unaccountable way, the rifle was discharged and the boy Bennie was killed. The boy was 14 years of age.

Smallpox at Columbus.

There are quite a number of cases of smallpox in Columbus and quite a number have been exposed to the disease. There are four families in the northwest part that city whose homes are quarantined and every effort is being made to keep the disease from spreading.

The Blivens Are Safe.

A Dakota City special says: Mrs. F. A. Bridenbaugh, daughter of A. H. Bliven, Thursday received a telegram from her sister, Mrs. S. B. Cone, of Salix, Ia., announcing that she (Mrs. Cone) had received a letter from her father in California and that all members of the family are safe and well.

Special Election on License.

The special election which was petitioned for by the license faction at Elair and granted by and ordered to be held by the city council, resulted Tuesday in 239 votes for the granting of license and 23 against license.

Printers Organize at Beatrice.

Patrick Eyle, of Omaha, district organizer of the International Typographical Union, has perfected an organization at Beatrice with sixteen charter members, to be known as the Beatrice Typographical Union.



W. S. Haddix, of Custer County.

convicted of the murder of Melvin Butler, his neighbor, will have to serve twelve years in the state penitentiary for his crime, as the supreme court has upheld the lower court. The two men resided on farms which were divided by the dividing line between Custer and Sherman Counties, and frequent altercations resulted over the establishment of a public highway on the dividing line. Set. 19, 1905, Haddix took his gun and went out in the road as Butler was coming home. The two men met and began to shoot, with the result Butler was killed. Haddix was arrested for murder in the first degree and the jury found him guilty of murder in the second degree and sentenced him to the penitentiary for twelve years. An appeal was taken to the supreme court on the grounds that the jury panel had been selected by the sheriff before he had been ordered to act by the court and because some members of the jury were opposed to capital punishment. The sheriff had selected sixty takersmen who were in the court room when the case was called. Only two of the regular panel were left and the judge ordered a new panel, which the sheriff selected from among the spectators in the room, these being the men notified to be present by the sheriff. Butler and Haddix each was married and had a family and both were highly respected among their neighbors.

The supreme court has decided that a common carrier is responsible for injury to goods where the goods were exposed to injury by the carrier's inexcusable detention, and the carrier cannot in such case plead the act of God as a defense. The decision is in the case of Martin R. Sharp against the Washburn Railroad Company. Judgment was given by the lower court in favor of the plaintiff for \$865, the value of household goods destroyed in the great flood at Kansas City, May 31, 1905. The goods comprised household furniture shipped from Lafayette, Ind., to Lincoln. Shipment was delayed at Hannibal, Mo., twenty-four hours for rebilling and were delivered to the Missouri Pacific Railroad Company and were held in the yards at Kansas City by the latter company, where they were practically destroyed by a flood. The general rule as stated by the court is that a common carrier insures for their safe delivery to the consignee against loss or injury whatever cause arising, excepting only the act of God or the public enemy.

Superintendent McBrien is enthusiastic over teaching agriculture in the public schools and in abetting corn contests. Deputy Bishop is more so, it was demonstrated, and there ensued a clash of authority. Bishop bought five bushels of corn to be distributed as seed among the contestants. Bishop thinks the corn is entitled to a good safe resting place and so he ordered it consigned to the vault in the office of the superintendent. McBrien thought the corn was entitled to some consideration, but he balked at putting it in the vault. It took several minutes of argument on the part of McBrien to convince Bishop the vault was the place for literature on the "five essentials" and the basement of the state house the place for the corn. It was removed to the basement.

County Attorney Slabaugh, of Omaha, who is at Lincoln attending supreme court, is getting some satisfaction out of the Pat Crowe verdict. "The result of that verdict will be better juries," said Judge Slabaugh. "I have received letters from many lawyers and judges in various parts of the country, and they tell me that hereafter more care will be used in selecting juries and hereafter business men called for jury service will not be excused, as they have been in the past with little or no excuse."

A corporation cannot act as an administrator of the estate of a deceased person under the laws of this state. This is the judgment of the supreme court in the case of the Continental Trust Company, administrator of the estate of Francis E. Reisdorph, deceased, appellant, against Soren T. Peterson, appellee. The appeal from Douglas County is dismissed. The administrator in this case was appointed by the county court of Douglas County.

At the request of Superintendent McBrien and Chairman Ludden, of the state normal board, Attorney General Brown has made a ruling on the question whether it takes a majority of the normal board to transact business or three members out of a majority. The attorney general ruled it required a majority vote of the board members to carry a motion or to transact business.

At its meeting held at Peru Saturday the state normal board accepted the new chapel building, but will not turn over the warrant for \$6,000 yet due the contractor until he produces receipts showing he has paid all of the workmen and for all of the supplies. This was not done at the meeting Saturday because Contractor Sparks was not present.

Referee Pemberton, appointed by the supreme court to hear the testimony in the grain cases, has announced he will begin taking testimony Thursday. Just how long it will take to get all the evidence in, no one seems to know, but it is the wish of the legal department of the state and the referee to rush matters as rapidly as possible.

The supreme court has denied a rehearing in the inheritance tax law which it recently held valid. This law provides a per cent of estates shall be paid to the county treasurers where the estate is located, to be used for the betterment of roads. In Douglas County the county judge refused to appoint appraisers to pass upon estates, and action was begun by the county attorney to compel him to act. He was successful in the supreme court and a rehearing was asked for by some of the interested parties.