

THE VALENTINE DEMOCRAT

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TERMS:

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THURSDAY, JULY 15, 1909.

Political Announcements.

Having filed my application I hereby announce myself a candidate for the republican nomination for the office of county clerk of Cherry county, Neb., to be voted on at the primary election to be held in said county on August 17, 1909.
F. A. CUMBO.

Having filed my application I hereby announce myself republican candidate for the office of county superintendent of public instruction of Cherry county, Nebraska, to be voted on at the primary election to be held August 17, 1909.
CORA THACKREY, Sc. B.

I hereby announce myself as a candidate for the republican nomination for the office of county superintendent of public instruction of Cherry county, Neb., at the primary election to be held August 17, 1909. I will advance the educational interest of the county to the best of my ability if nominated and elected.
H. W. FUNKE, Sc. B.,
Principal of Cody Schools.

Having duly qualified, I desire to announce myself a candidate for nomination to the office of superintendent of public instruction of Cherry county, Nebraska, on the republican ticket, at the primary election, August 17, 1909. I am a graduate of the Fremont Normal College. I took the degree of Bachelor of Science and have a professional certificate. For the past three years my wife and I have held and improved a homestead in this county. I was two years principal of the Cody school and one year principal of the Crookston school. I changed last year because Crookston is nearer to our homestead. I have been engaged in school work for ten years. If elected will fulfill the duties of the office to the best of my ability.
Respectfully,
D. F. STORV.

The Political Kettle.

Politics have been rather quiet the past week with the exception of a little stir in the situation for county superintendent and county judge, which now have to go onto the ticket the same as other offices, according to a decision of the supreme court handed down Tuesday and reaching us Wednesday in the daily papers. Those who had prepared petitions for those offices or were preparing petitions had to change their plans immediately, and now three non-partisan teacher candidates have become republicans and filed for the nomination for county superintendent on the republican ticket.

D. F. Story of Crookston, whose announcement appears in this paper, is a graduate of Fremont Normal College and has had several years' experience as a teacher.

H. W. Funke of Cody, whose announcement also appears in this paper, is a graduate of Hastings college, and Miss Cora Thackrey is a graduate of the Kansas State Agricultural College at Manhattan, Kan., and each of these candidates hold the title of Bachelor of Science and have the right to the title Sc. B. as an addition to their names.

They can't all be nominated this year for county superintendent. We hope the best one of the three will be nominated, but, perhaps, it is only a matter of choice, and which one do you want? Cherry county has succeeded under a lady superintendent, but of late there has been some talk for a man for superintendent, perhaps because

there are men now qualified for the place. Many still believe, however, that a lady should be at the head of a corps of lady teachers. Let the people decide.

Non-Partisan Act Void.

Lincoln, Neb., July 12.—As predicted in the World-Herald, the supreme court of Nebraska today dealt a death blow to the Donohoe non-partisan act, designed by the last legislature to remove judicial and educational offices from the partisan scramble for places.

No decision was filed, the judges signed a memorandum. A formal opinion may be filed later. There was no authentic information as to the views of the judges, although it is stated that Judge Dean was the jurist who believed that the act was not fatally defective.

Judge Reese did not sit. The judges met late this afternoon and were in consultation for several hours and about 6 o'clock the memorandum was filed with Clerk Lindsay.

Candidates for supreme judge, regents of the state university, district and county judges and county superintendents will now file their petitions for party primaries in the regular manner. It is believed that a motion for a rehearing will be promptly overruled.

The court memorandum follows: "The members of the court were of the opinion that the provisions of the act under consideration, prohibiting political parties from in any manner whatsoever endorsing, recommending, endorsing, criticizing or referring to any candidate for the office of chief justice of the supreme court, judge of the district court, county judge, regent of the state university, superintendent of public instruction, are void being in conflict with and repugnant to section V of article 11 of the constitution, being the bill of rights which provides:

'Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty.'

"And also section 19 of article 1 of the constitution, which provides:

'The right of the people peaceably to assemble to consult for the common good, and to petition the government thereof, shall never be abridged.'

One member was of the opinion, however, that these provisions of the act were not properly before the court for its consideration and not necessary for a determination of this case. Four members were of the opinion that the act might be sustained if the foregoing were the only defects therein. Five members of the court were of the opinion that so much of the act under consideration as prohibited more than 500 electors of any one county signing the petition of any candidate for the office of chief justice, or judge of the supreme court, was void, being repugnant to section XXII, article 1 of the bill of rights, which provides:

'All elections shall be free;

and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise."

Four of the court were of the opinion that the aforesaid limitation formed an inducement to the passage of this act, and the entire act must fall. One of the members, not concurring in the judgment, is of the opinion that the aforesaid limitation is void, but that with such limitation stricken out the act can still be sustained. The remaining members of the court did not consider such limitation formed an inducement to the passage of the act, and that the entire act must fall. One of the members, not concurring in the judgment, is of the opinion that the aforesaid limitation is void, but that with such limitation stricken out the act can still be sustained. The remaining members of the court did not consider such limitation void, but maintained that the act is valid. The majority of the court holding that the act is void, the judgment of the district court is affirmed.

Reese, C. J., absent and not sitting.—World-Herald.

Commissioners' Proceedings.

Valentine, Neb., June 15, '09. Board of Equalization met in regular session. Present; A. E. Morris, chairman county commissioners; Jas. Mone, N. S. Rowley, J. T. Keeley, P. H. Young.

Board sat for the purpose of hearing complaints regarding assessment for the year 1909, adjourning from day to day until the night of June 17, at which date they adjourned to Thursday, June 24, at 9 o'clock a. m.

J. T. KEELEY, Co. Clerk.

Valentine, Neb., June 21, '09. Board of county commissioners met in regular session. Present: A. E. Morris, chairman, Jas. Mone, N. S. Rowley, and J. T. Keeley, clk.

Matter of the application of Walter W. Covell for a druggist's permit to sell malt, spirituous and vinous liquors for medicinal and mechanical purposes, only, in the village of Brownlee, Cherry county, Nebraska, taken up and said permit was granted upon condition that said Covell forward to the county clerk his certificate licensing him as a pharmacist, furnish good and sufficient bond in the sum of \$5,000 and comply strictly with all laws regulating such cases.

Board spent the remainder of the day in ascertaining the assessed valuation of the property within the various school districts for the year 1909.

Board adjourned to June 22, '09.

June 22, 1909. Board met as per adjournment, members all present.

The Kilgore State Bank was designated as a county depository bank and the surety bond presented by them covering the deposits was approved.

G. W. Gaskill was appointed road overseer of district No. 5 and his bond approved.

Matter of the petition of E. W. Wright et al for the establishment of a new precinct in the county to be known as "Middle Prong" precinct taken up and said petition was approved and the new precinct established, comprising the following territory:

"All of townships 25 and 26 of ranges 36 and 37, west, 6th P. M., said territory formerly being a part of Buffalo Lake precinct." The voting place in said new precinct was designated to be at John Collins' residence in section 12, township 25, range 37.

Poll tax of \$2.50 assessed to John Rehberg of Merriman precinct for the year 1908, ordered stricken from the tax list of said year, he being exempt.

The following refunds were ordered made to the within named holders of tax sale certificates, the lands conveyed by same having been cancelled by the government and erroneously assessed and sold for taxes: J. R. Lee, tract No. 383 and

425, suit of 1906, amount \$20.52; H. C. Wear, certificate of tax sale No. 131, year 08, \$11.90; John Chaloud, tract No. 415, year 06, \$6.79; J. W. Whiffin, tax sale certificates No. 420 and 400, year 08, \$11.50; F. J. Schnorr, tract No. 1426, year 06, \$16.04."

Refund of \$18.53 ordered made to W. E. Haley on tax receipt No. 3265 for the year 1905, the owner holding a receipt for said taxes and also a redeemed sale.

Board adjourned to Wednesday, June 23rd.

June 23, 1909. Board met as per adjournment, members all present.

The board continued the work of ascertaining the assessed valuation of the property in the various school districts preparatory to making bond levies for the year 1909.

Adjourned to June 24th.

June 24, 1909. Board of equalization met as per adjournment. Present: A. E. Morris, James Mone, N. S. Rowley, J. T. Keeley.

The county assessor having completed the assessment of all property for the year 1909, the board spent the forenoon in examining his abstract of assessment and finding all property equally assessed throughout the county said abstract was approved as returned by said county assessor.

Whereupon the board adjourned sine die.

J. T. KEELEY, Clerk.

June 24, 1909.

Board of county commissioners met as per adjournment, members all present.

W. D. Armstrong, county treasurer, having filed his resignation as treasurer of Cherry county, with the county clerk on June 23, 1909, the same taken up by the board of commissioners and duly approved and accepted.

The county clerk is instructed to advertise for bids for furnishing to the county one (1) car load of corrugated metal culverts, the size and number of same to be according to the specifications on file in his said office.

Board adjourned to June 25.

Contest Notice.

U. S. Land Office, Valentine, Nebraska, June 22, 1909. A sufficient contest affidavit having been filed in this office by Leon E. Shepard, contestant, against Homestead entry No. 1029, made July 17, 1908, for the N¹/₂SW¹/₄, N¹/₂SE¹/₄, section 33, township 32, range 39, by William A. Smith, contestee, in which it is alleged that said land is not settled upon and cultivated by said party as by law required, and he has failed to cure his defects up to this date, said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m., on August 25, 1909, before the register and receiver at the United States Land Office in Valentine, Nebraska.

The said contestant having, in a proper affidavit filed July 14, 1909, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.

M 37 4 LUKE M BATES, Register.

Contest Notice.

U. S. Land Office, Valentine, Nebraska, June 23, 1909. A sufficient contest affidavit having been filed in this office by Bert P. Ripley, contestant, against Homestead entry No. 1825, made March 13, 1906, for E¹/₂ section 26, W¹/₂ SE¹/₄ SW¹/₄, S¹/₂SE¹/₄, NE¹/₄SE¹/₄, section 25, township 27, range 34, 6th P. M., by Rolla R. Lewis, contestee, in which it is alleged that said land is not settled upon and cultivated by said party as by law required, and that claimant maintains a home elsewhere than on said land, all of which defects exist at this date and have not been cured.

Said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on August 9, 1909, before J. H. Welton, U. S. Commissioner, Mullen, Neb., and that the final hearing will be held at 10 o'clock a. m. on August 15, 1909, before the register and receiver at the United States Land Office in Valentine, Nebraska.

The said contestant having, in a proper affidavit filed May 8, 1909, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.

M 34 H E. OLSON, Receiver.

Contest Notice.

U. S. Land Office, Broken Bow, Nebraska, June 19, 1909. A sufficient contest affidavit having been filed in this office by Leah E. Griffith, contestant, against Homestead entry No. 299, made October 23, 1902, and homestead entry No. 3631, made June 28, 1904, for all of section 19, township 25, range 35, 6th P. M., by Benjamin A. Anderton, contestee, in which it is alleged that Benjamin A. Anderton has wholly abandoned said tract, that he has failed to reside upon, cultivate and improve said tract, as required by law, that there is no house or place of habitation on said tract and that claimant maintains a home elsewhere than on said land, all of which defects exist at this date and have not been cured.

Said parties are hereby notified to appear, respond and offer evidence touching said allegation at 10 o'clock a. m. on August 3, 1909, before John H. Welton, U. S. Commissioner, Mullen, Nebraska and that the final hearing will be held at 10 o'clock a. m. on August 5, 1909, before the register and receiver at the United States Land Office, Broken Bow, Nebraska.

The said contestant having, in a proper affidavit filed May 19, 1909, set forth facts which show that after due diligence personal service of this notice cannot be made, it is hereby ordered and directed that such notice be given by due and proper publication.

M 34 H JOHN REESE, Register.

Notice of Sale.

I will sell at D. A. Hancock's ranch on section 32, township 32, range 35, one red white face steer, 2 years old, left ear frozen off or cropped off; one red white face steer, coming left ear cropped off; one red white face steer, coming left ear cropped off, on the 27th day of August, 1909.

U. G. WELKER, Justice of the Peace.

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