

FIRST ROSEBUD CONTEST

THREE CORNERED BATTLE FOR FINE QUARTER.

WILL SETTLE OTHER CASES

It is Expected That the Outcome Will be to Put a Stop to the Numerous Other Fights Over Land Titles on the Reservation.

Bonesteel, S. D., Jan. 10.—A hearing of the testimony in the most important and evidently to be the hardest fought contest case over a claim of the Rosebud reservation lands was finished before United States Commissioner J. D. Keller. The quarter of land in dispute is the southwest of section 28, township 97, range 71, west, one and one-half miles east of the new town of Burke.

The case is attracting extraordinary interest from the people in general here, not merely because it is the first contest to receive a hearing, but because of the unusual number of claimants and the uniqueness of the case. Not only two, but three men claim the land. Each had his coterie of witnesses present, and each is quite sure that his rights are superior to all others. It has required six days with long night sessions to receive the testimony.

Squatters' Rights.

John A. Aurin is contestant against Michael P. Dowling, contestee, and Frank Teachout intervenor. The case hinges upon the question of squatters' rights. And in the present instance it appears that the two squatters were "soonerers"—so eager was each to be the first that should pre-empt the land. However, according to the present United States land laws, there is no penalty for "soonerism," it being generally understood that there is nothing lost or gained through premature occupation of the public lands.

The president's proclamation bearing directly upon the Rosebud lands is currently interpreted as allowing squatters' rights after the expiration of sixty days from date of the opening. Such expiration took place at the hour of midnight between October 6 and 7, 1904.

How Operated.

Mr. Aurin, on the 6th, in company with three other persons, planted a tent over the section corner, common to sections 28, 29, 32 and 33, township 97, range 71, west, Gregory county, South Dakota, with the intention on the part of Mr. Aurin of locating, after midnight, on the southwest quarter of section 28.

On the same day Frank Teachout, likewise with witnesses, hauled lumber to the place of George Fobair, a new settler, and whose claim joins the quarter in question on the north, with the intention of likewise taking this same quarter of land as a homestead. Mr. Teachout claims that he went to the land at midnight.

At 4 a. m., December 7, M. P. Dowling, through his agent, J. D. Hinton, filed a sailor's declaratory statement with the district land office at Chamberlain on this same quarter section.

Begins Contest.

In November Mr. Aurin began a contest for the purpose of securing a filing, claiming to have settled on the land in question on the morning of the 7th, immediately after midnight, and that his rights were superior to those of Dowling.

A few days later Frank Teachout filed a petition of intervention with the land office at Chamberlain, asking that he be permitted to intervene, claiming that he was the only bona fide resident and squatter on the land, and, therefore, that his rights were superior to all others.

The hearing began before Commissioner Keller here December 30, last, and the taking of evidence continued until the night of January 5. Attorney George A. Jeffers was counsel for the contestant; W. T. Wilks for the intervenor, while ex-Governor Ziebach of Yankton represented Mr. Dowling. The case comes up for final hearing before the district land office at Chamberlain today. A decision will then be handed down. However, an appeal will probably follow to the general land office at Washington, and even from its decision to the secretary of the interior himself.

Are Many Witnesses.

Twenty-five witnesses were examined in Bonesteel, the expense in taking the testimony alone amounting to \$150. The contest will most probably be bitterly waged to the highest authority.

This being the first hearing of the many contest cases pending to the Rosebud reservation claims, great importance is attached to it, inasmuch as it will bring out the position of the land office on the question of squatters' rights. It will serve as a criterion for others that are to follow, and this fact alone gives it importance.

The case, too, has not been without its humorous side. M. D. Dowling, the old sailor, who holds the declaratory filing, has spent twelve years at sea, much of his time with the German and with the American navy.

Dominion Parliament Meets.

Ottawa, Ont., Jan. 11.—Through several measures of importance are on

the agenda for consideration and action the existing opinion in political circles is that the session of the Canadian parliament begun today will be short and devoid of unusual interest. Today was devoted to the swearing in of the members, to be followed by the election of a speaker. The speech from the throne will be delivered tomorrow.

Merriam-Wallach Wedding.

Washington, D. C., Jan. 11.—Two well-known families were united by the marriage today of Miss Rose Douglas Wallach, of this city, and Paymaster John Hancock Merriam, U. S. N. The bride is the youngest daughter of the late Richard Wallach, at one time mayor of Washington. The bridegroom is the son of former Governor William R. Merriam of Minnesota, and grand-nephew of the late Gen. Winfield Scott Hancock. Owing to the mourning of the bride's family the wedding was a quiet one, attended only by the relatives and a few intimate friends of the contracting party. The ceremony was performed at the Wallach home on I street by the Rev. Roland Cotton Smith, of St. John's church.

Auto Show for Foreign Cars.

New York, Jan. 11.—An automobile salon displaying the 1905 models of French, English, German and Italian motor cars opened in Herald Square hall today and will continue until January 24. The exhibition is entirely distinct from the automobile show which is to open in Madison Square garden next Saturday and which will be exclusively American in character. At the exhibition which opened today practically all the foreign cars of note are represented, including Argyle, Berliet, Bollee, C. G. V., Clement-Bayard, Darracq, Decauville, De Dietrich, De La Haye, Electromobile, Grabon-Brillie Hotchkiss, Martini, Mercedes, Mors, Napier, Panhard, Pipe, Peugeot, Renault, Richard-Brasier, Rochet-Schneider, and Westinghouse. The holding of the two exhibitions simultaneously affords an excellent opportunity for comparison between the latest American and foreign makes of automobiles.

BANK HAS NEW PRESIDENT

JAMES F. TOY OF SIOUX CITY HEADS CITIZENS NATIONAL.

ARE SEVEN NEW DIRECTORS

Important Changes in the Citizens National Bank Took Place at the Annual Meeting of the Stockholders. Interests Added.

At a meeting of the stockholders of the Citizens National bank, held at the banking rooms yesterday, important changes took place. The stock that was formerly held by Mr. Lombard of Boston and Mr. McGilvren of Fremont, was purchased by James F. Toy of Sioux City, which brings some of the outlying interests much nearer home and makes the Citizens National connected with the Farmers Loan & Trust company of Sioux City. This firm has a capital of one million dollars, thus making the Norfolk institution very much stronger in every way.

The already strong board of directors has been further strengthened by the addition of seven local men.

There is probably no bank in Nebraska that is entitled to greater confidence than the Citizens National and certainly none that is better able to take care of any important banking proposition. And as the banks of a town can greatly assist in all that is vital to the upbuilding of a city, the people should feel gratified in the thought that an active, aggressive interest with unlimited capital should recognize Norfolk as an important banking center.

The list of directors is as follows: Max Asmus, Ralph Braasch, Geo. W. Schwenk, L. Sessions, S. Mathewson, J. E. Haase, W. H. Johnson, P. J. Stafford, J. F. Toy, J. Welsh and W. A. Witzgman.

The following officers have been selected: James F. Toy, president; J. E. Haase, cashier; M. J. Stafford, assistant cashier. F. C. Asmus as book-keeper will continue in his present position.

Mutual felicitations are in order and Norfolk extends a hearty welcome to its new friends.

Other Changes.

T. F. Memminger, former president of the Citizens National bank, is not in the city today. He is reported to be at Elgin where it is said that the bank at that place in which he is interested is to change hands today. It is not known what Mr. Memminger's plans for the future may be.

J. E. Haase, who had been at Elgin for several months past, but who was formerly connected with the Citizens National bank, will return to this city at once to assume the duties of his new position at the cashier's desk. Mr. Haase is also administrator of his father's estate, which brings his other interests here.

Willis McBride, formerly of Madison, today, it is said, takes charge of the banking business in Elgin where he has recently located. Mr. McBride will, it is reported, be the president of that institution.

MRS. LILLIE IS IN PRISON

DAVID CITY WOMAN IS TAKEN TO PENITENTIARY.

TO SPEND HER FUTURE LIFE

Mrs. Margaret Lillie, Under Conviction for the Murder of Her Husband, Harvey Lillie, is Now in a Cell.

Lincoln, Jan. 11.—Mrs. Lena Margaret Lillie, after a two-year fight to keep out of the penitentiary, was brought to Lincoln yesterday and lodged behind the prison's bars. Sheriff West and his wife accompanied her. Mrs. Lillie was almost overcome. She had to be carried from the train and tottered feebly on the arms of her companions to the waiting back. She was dressed in sombre black and veiled heavily, so that her features were indistinguishable. The ordeal at the prison disclosed a most pitiable weakness of the woman, and it was hurried through. Mrs. Lillie has wasted physically and the sheriff is of the opinion that she is in a bad way.

David City, Neb., Jan. 11.—Mrs. Lena Lillie, sentenced to the Nebraska penitentiary for life for the murder of her husband, Harvey Lillie, was placed aboard a Union Pacific train by Sheriff West and taken to Lincoln to begin her sentence at the state prison. The sheriff was accompanied only by his wife. Mrs. Lillie made no demonstration and displayed the same stoical indifference that has marked her demeanor almost from the first.

The mandate of the supreme court to the sheriff, commanding him to take his prisoner to the penitentiary, did not arrive from Lincoln until late Saturday evening. Under the provisions of the law, the trial judge is required to enter up judgment on the mandate, and District Judge Good was summoned yesterday from his home in Wahoo, reaching David City last evening. Judge Good convened court in the evening at 8:20, Mrs. Lillie being brought into court in custody of the sheriff. She maintained her self-possession wonderfully and heard the judgment of the court condemning her to a prison cell for life without a tremor. She spent the night in her cell in jail, sleeping soundly and arising this morning in good spirits. With her breakfast over, she had soon packed the personal belongings in her cell and informed the sheriff that she was ready to accompany him.

Sheriff West and his wife took the prisoner to the Union Pacific station in a closed carriage. Mrs. Lillie was dressed entirely in black, wearing a heavy veil of the same hue. A crowd of several hundred persons had assembled at the station, but the sheriff had timed his trip so that there would be no wait and the party stepped from the carriage into the train.

Although there had been vague rumors in circulation for some time that Sheriff West had detected and foiled a jail delivery, having for its evident purpose the release of Mrs. Lillie, the first authentic information on the subject was made public last week. Sheriff West guarded his secret closely, but on the eve of his departure with his prisoner for Lincoln he was willing to admit that a jail delivery had been attempted. The sheriff in person discovered the plot and foiled its fruition by placing a day and night guard over the woman. He now states that he found two of the steel bars of her cell almost completely sawed through, after which the bars had been smeared over with a dark brown substance which almost entirely concealed the fact that they had been tampered with. The sawing, in fact, was so nearly complete that a mere blow of the hand would have sufficed to have knocked the sawed portions from their moorings, leaving a hole through which any person of average size could have crawled. It is the sheriff's belief that the lack of a suit of men's clothing to serve as a disguise after she had quitted the jail was the only thing that prevented the woman from knocking out the bars and escaping. This would have been possible from the fact that her cell was next to the outer wall of the jail, and the sawed bars were in one of the outside windows.

WEDNESDAY WRINKLES.

Landlord Needham of the Pacific hotel is on the sick list today.

Mrs. C. Lucke of Hoskins was shopping in Norfolk Monday.

J. C. Cleland of Fremont was a Monday visitor in Norfolk.

Miss Laura Palmer has returned from a two-weeks' visit in Oakdale.

Miss Kate Thill of Dell Rapids, S. D., is here visiting her sister Mamie.

Miss Lillian Johnson of Battle Creek was shopping in Norfolk Monday.

Mr. and Mrs. P. J. Barnes have gone to McLean, Texas, for a two-months' visit.

Dr. W. M. Conwell and Dr. D. E. Beattie of Neligh are here attending the meeting of Elkhorn Valley doctors.

M. J. Romig returned today from Neligh where he has been attending at the bedside of his wife and her mother who have been very sick.

A little daughter was born yesterday

to Mr. and Mrs. Otto Saline.

Charles Rice has just received a number of fine paintings which are imported from China. The duty on the pieces was alone \$19.68. They are done on velvet and other cloth materials. The paintings have been placed on exhibition.

Jack Hale, well known in this vicinity and whose home is in Wyoming, passed through Norfolk yesterday on his way to Cuba, where he will spend the winter. I. G. Westervelt of Norfolk considered the proposition of going for some time, but finally decided to remain in Norfolk.

A good audience risked the threatening weather last night to see the startling climax in Lincoln J. Carter's "The Heart of Chicago," and they saw them from the first act to the last as rapidly as they could be developed and executed and the people in the cast were pretty swift movers, too. With the first act a partner was put out of the way and his body burned in the great fire; the next saw the hero of the play hurled from the top of the Masonic temple in Chicago; in another a drawbridge was swung open and the lights fixed "safe" to throw into the river the engine driven by the hero and finally there was a conclusion that knocked the popular conception of finales into smithereens, unless it might be of the Shakespeare variety. Instead of all joining hands and circling to the left and living happily forever after, Carter has a leave taking with the villain in solo, while the hero, the heroine and the rest go out to celebrate a victory and the heavy gives the drop curtain cue with a pistol and himself as the target. The company was very well balanced throughout and the scenes were really interesting, the plot quite carefully woven and the stage settings of a good quality particular interest centering in the miniature locomotive. Mr. John T. Nicholson was about as mean a villain as ever appeared in Norfolk, which is saying that he took a very capable part. There was some fault found that he did not speak clearly and distinctly but this was a trouble likewise with other members of the cast. Mr. Nicholson had very good support from a large company and the audience or the great majority thereof were satisfied that they had received full measure for their money.

BOCHE FISH COST HIM \$100

FOUND GUILTY OF BREAKING THE LAWS OF STATE.

HE HAS APPEALED THE CASE

Furnishing a Bond of \$200, He Has Taken the Matter up to the District Court—Boche Had More Than the Law Allows of the Finny Tribe.

The trial of Herman Boche, charged with having in his possession too many fish, contrary to the state game laws, was held in Justice Hayes' court yesterday afternoon, the defendant being found guilty. He was fined \$100 and costs and has appealed the case to the district court. He was required to furnish bond in the sum of \$200 which he did. Boche had twenty-five fish in his possession and was arrested last week on that account.

Boche is an old offender of the fish laws. He has a little lake about four miles southeast of the city, and has several times been brought to the attention of the officers for illegal fishing. He was arrested once before on the charge.

The arrest this time was made by Chief Larkin, on complaint of Deputy Game Warden Rainey. Boche brought a bag of fish to town, and left them in a saloon. Rainey found them. Then the warrant and the arrest. Former County Attorney Mapes is prosecuting.

The unfortunate fish were bullheads and croppies.

Kansas Farmers in Session.

Topeka, Kan., Jan. 11.—The capital has capitulated before an invading force of farmers who are here in large numbers in attendance on the annual meetings of their several state associations, including those of the stock breeders, swine breeders, bee keepers and poultry raisers. The annual session of the Kansas state board of agriculture, the most important meeting of the week, opened this afternoon. The initial session was devoted to the work of organization. This evening the visitors will be welcomed by Governor Hoch. Another speaker of the evening will be the Rev. Charles M. Sheldon. The business sessions of the board will begin tomorrow morning and continue through Friday.

Racing on Ice Track.

Ottawa, Ont., Jan. 11.—One of the biggest ice race meets ever held in the Dominion opened auspiciously here today and will continue for the next five days. Many fast horses of both the United States and Canada are entered for the eight thousand dollars that has been hung up in prizes.

If anybody has any harness repairing to do, let him bring it in before the spring season begins. Paul Nordwig.

Are You Satisfied With the Business You Do?

There are few business men who could not increase their trade if they could devise means to do it. Any man would be willing to pay a percentage of the increased profit for the sake of maintaining the new stimulus. It is a rare business man who would not gladly hire an additional salesman or solicitor if, by so doing, that salesman or solicitor would increase the bulk of business so much that the added profits would pay the salary of the new man and leave surplus cash for the house.

A good salesman or a good solicitor is one who, by his skill in presenting the selling points of the goods at hand, is able to make sales which otherwise would not be made. If a high-salaried salesman did not sell things which, were it not for his presentation, would not otherwise have been sold, he would earn no more money for his employer than an ordinary fellow. And if it were not possible to make people buy things which, but for the salesman's work, they would have left unpurchased, then the simplest child would be as valuable in a store or in an agency, as the cleverest and most experienced professional.

An advertisement is merely a salesman or a solicitor, which talks to several thousand people at the same time.

An advertisement, like a human salesman, may be so clever that it will create a demand for the goods and wonderfully increase the sales; or it may be so commonplace, so unskilled and so devoid of effective presentation that what it says will appeal to none.

Advertising Has Come to Be a Science and a Fine Art.

An advertisement must contain reasons why the reader will find it to his advantage to buy the articles advertised. An advertisement must be no more and no less than a printed conversation, such as the salesman would speak if he were talking, earnestly and seriously, to a prospective buyer. It can not ramble if it is to bring results. It can not cover, in the same line, two separate articles any more than a salesman dare try to sell, in the same breath, two different things. It must be clean-cut; rid of superfluous literature; sharp, definite and convincing.

No ad. will pay which is not so written as to create a demand for the article or articles advertised. Every article advertised should be set off, like a newspaper article, in a department of its own, with a head-line calling attention to it and with its every selling point brought out and exhausted just as completely and as thoroughly as is his story written by a newspaper reporter.

An Ad is News.

Every ad. is news, in its way. And it must be written in just as interesting a manner as is the news with which it must compete for favor, on the same page. It must be clever enough to attract the attention of the prospective buyer. Magazines today are as thoroughly read in the advertising pages as they are in the story pages, for the reason that the ads. are news, interestingly conceived.

The Heading is All-Important.

The heading of an advertisement, the smaller the more true, is all-important in the results which are to be gained. The heading must be so worded as to attract the attention of the person who is interested in that particular and who, therefore, may prove a buyer. A person afflicted with sore feet will grasp at any tiny advertisement whose headline indicates that there is relief to be found for those pedal extremities. Likewise a housekeeper will follow down the wording of any ad, which, in the bold-faced head, indicates bargains for her department—be it flatirons, groceries, hot doughnuts or what not.

CUTS, for this reason, are valuable features of any ad. They instantly show the line of goods that are discussed and attract the attention of the desired ones. And a cut, for this reason, must pertain to the article advertised, and must, in itself, be able to display points in the article which will create a demand for it. Any shoe cut, for instance, will denote that the ad. tells about shoes. But if the cut is a picture of a well shaped, stylishly made, substantial shoe, it will have a tendency to create a demand for that particular shoe, just as would the words of a salesman who took time to say that the shoe was of fine shape, up-to-date, hand-sewed and durable.

The so-called "catchy" headings which many business men have writ-

ten over their ads., men who have received no returns and quit investing in space because "it didn't pay," are not effective. The reason is evident. The general reader, who perhaps reads the first few lines from pure curiosity, quits in disgust. And very frequently the person whom it is desired to interest, will never look at the ad. because it does not interest him at the outset. On a newspaper, the greatest care is taken to write headlines which will, at the first glance, give the gist of the whole story. If it is a baseball article, therefore, the fan knows it at once and will read it. The politician will pass by. Daily papers pay large salaries for experts who do nothing but write those headlines. But an advertiser will often heed his discussion with a line which says "Cold Weather is Coming," when it should have been "Do You Need an Undershirt?" The man in need might and might not care whether cold weather he will read the lines that follow just was coming or not. It is a catch, though, that if he needs an undershirt to see what sort of bargain he can secure. If he does need an undershirt or if it happens to be a dentist's ad that tells him his aching tooth can be pulled painlessly,

He Will Visit the Advertiser.

When he has done that, the ad. has done its work. It is then up to the clerks or the dentist to sell him everything in the building that he can possibly use. If they fail to do that, it is new salesmen that are needed and not a different method of advertising. If nothing but the goods advertised were sold as the result of an ad., then that ad. surely would not pay. It is the profit made from additional sales, after the buyer has been attracted to the store which

Makes Advertising Pay.

That is the reason why leaders can be offered, even at cost or perhaps at a loss, and still net the advertiser a margin on the transaction. That is why special sales pay, even though the specials are cut to bed rock. That is why advertising all of the time, every day and every day, and with always something new, clever, attractive to the taste and the purse of the reader, can be made to pay and to pay well. It stands to reason that advertising MUST NOT BE SPASMODIC if it is to bring the best results.

If a baseball column in a newspaper was printed but once a month, it is easy to see why "fans" would not look to that column when it did, periodically appear. It logically follows that a housewife will not look at a certain corner of the paper today for clothes pln bargains, if that corner contained bargains but three times within a year. The readers must be trained to expect to find ads. worth looking at, before they will take the time to do it.

The People to Reach.

The people to reach, advantageously, are those who can get to the advertiser, either by mail or in person, to take advantage of the articles mentioned. Advertisers in Norfolk naturally desire to reach everybody in the city, all of the farmers within a driving distance from the city and other persons in tributary territory who may visit Norfolk.

To the end of covering this identical field, The News has been working for years. It now does cover this field very thoroughly every day in the year. The rural routes out of Norfolk, of which there are five today, are reached by The News just as effectually and as thoroughly as are the homes in the city. The farmers around Norfolk read The News every day in the week just as they used to read weekly papers. Their papers, containing local and telegraph markets and news, are delivered at their doors every day.

There is no business in the world which cannot be stimulated by advertising. It will not only gain new patrons but it will increase the patronage of former ones. Advertising is not a venture. If used judiciously and systematically it is bound to bring results. There is no other way out of it. It is a commodity in which the business man invests for the sake of getting more out of it than he puts into it. It is paying one dollar for the purpose of making two or three and many times more than that.

It Has Come to Stay.

The uncertain period of advertising has passed. As a business getter it has come to stay and it is growing more and more essential. Local advertising will pay in any community, large or small, if it is done on a scientific basis. Done in haphazard fashion, it is now, always has been and always will be a waste of money. The business man who advertises in the right way, is bound to increase his business. The business man who is not content to run along, year after year, in the same channel and never grow in trade, will find advertising the surest, quickest and most dependable method of satisfactory growth. And newspaper advertising is the most economical in the world today because through this medium more people and more territory can be reached, and in an interesting way at that, than in any other method that can be devised.