

# HISTORIC BATTLE CREEK

### TWENTY-FIVE YEARS AGO COUNCIL WAS HELD.

### WITH THE THIEVING PAWNEE

The Indians Refused to Quit Stealing Cattle and the War of 1859 Resulted. The Chief Surrendered in the Battle Creek Fight.

The first council between the Nebraska state authorities and the Pawnee Indians, over the matter of the stealing of cattle from the farmers in the Elkhorst valley, was held fifty years ago the twenty-fifth day of this month south of Fremont and the date will be commemorated by the setting of a marker at the spot. The encroachments upon white men's territory finally resulted in the war of 1859 and the surrender of Potasharu and his band at Battle Creek, Madison county, Nebraska. Battle Creek bears its name in memory of that fight.

At the council were Gen. John M. Thayer, O. D. Richardson and Rev. Samuel Allis, an interpreter. J. D. Allen held the horses.

The Nebraska State Historical society will meet at Fremont May 25 for the purpose of placing the marker and it is hoped to later place a monument at the spot. Gen. John M. Thayer will be present to point out, as nearly as possible, the spot where the council occurred.

#### Battle Creek.

A considerable amount of stock was shipped from Battle Creek this week. George Berry shipped two cars of sheep, Joe Finkra, Thos. Lestina, Wm. Nicolay, Joe Osborn, John Prauner and Frank Sobotka a carload of cattle each, and Wm. Pratt a carload of cattle and one of hogs.

Jack Hengstler was here from Meadow Grove Friday visiting his brother, Andrew Hengstler.

M. L. Thomsen was in Platte Center Saturday.

Ludwig Kerbel and sister, Mrs. Annie Severa, were business visitors at the county capital Monday.

The remains of Houston Hampton, who died Sunday at Tilford, S. D., were sent here Tuesday for burial at the cemetery near Emerick. The Hampton family formerly lived on a farm near Emerick and moved to the Hills about nineteen years ago. The deceased was fifty-five years of age and was keeping house with his mother. His step-father, Calvin Hampton, died at Tilford about six years ago and is also buried at Emerick. His half-brother, Alex. Hampton, is a prominent railroad official in the freight department of the Northwestern at Omaha.

M. Endres of Norfolk was here on business Monday and as soon as the weather settles will put in a lot of cement walks here.

Johnnie McKnight of Meadow Grove is making his home here with his sister, Mrs. Clarence Pratt.

Ralph Simmons and Adolph Bredehoeft drove to Stanton Monday on business.

L. Flores of West Point was visiting here Monday at the home of his son, C. E. Flores.

J. E. Saunders shipped a carload of flour west Monday.

J. A. Wright, one of the real estate dealers, has sold the Hogrefe property north of the high school, recently vacated by Hon. F. W. Richardson, to John Repp, for \$1,200.

Henry Reif, Jr., who has been in the barber college for Omaha for several months, returned home Sunday.

The commencement exercises of the Battle Creek high school will be held Friday evening, May 19. Prof. J. M. Pile of the Wayne normal school will address the class.

Lambert Kerbel was a business visitor to O'Neill Monday.

Czar Johnson, a student at the Creighton Medical university at Omaha is here on a vacation, visiting with his parents. He has taken a temporary position at the Morris drug store.

Mr. and Mrs. C. F. Montross and children were over to Pierce Sunday attending the wedding of Mr. Jacob Umel and Miss Zoe Quivey. The ceremony took place at 4 o'clock in the afternoon at the home of the bride's parents, Mr. and Mrs. W. W. Quivey. Mrs. Montross is a sister of the bride. The groom is secretary of the Standard Beet Sugar company at Ames, where the young couple will make their future home.

#### THURSDAY TIDINGS

D. A. Hale was over from Wayne yesterday.

H. Van Wageningen of Pierce was a Norfolk visitor.

J. M. Kokjar was in the city today from Petersburg.

John H. Lindale of West Point was a visitor in Norfolk.

Sheriff J. J. Clements was here yesterday from Madison.

C. M. Taylor of Columbus was a Norfolk visitor today.

Frank Effie of Creighton had business in Norfolk yesterday.

M. Nichols was down from Foster on business this morning.

Ed. Windeman and R. B. Held were in the city yesterday from Leigh.

Mr. and Mrs. O. N. Just of Verdell came down on the early train this morning.

A. F. Becker of Omaha, representing the Harding Creamery company, was in the city today.

E. A. Bullock returned last night

from South Omaha, where he attended the grand lodge of the A. O. U. W. Burt Mapes returned from South Omaha last night, where he had been attending the grand lodge of the A. O. U. W.

C. E. Burnham returned last night from South Omaha, where he had been attending the grand lodge of the A. O. U. W.

E. W. Zutz left today for a trip of three weeks to California and other western points. During his absence Mr. Zutz will visit W. H. Bucholz at Oakland, Cal.

Mrs. J. D. Haskell of Wakefield, who came over to address the missionary ladies of Norfolk, is a guest at the home of Col. S. S. Cotton.

Mrs. Perry Walker of Plattsmouth has been visiting her sister-in-law, Mrs. D. S. Estabrook, and her stepson, M. C. Walker, for a few days, enroute home from a visit with her daughter at Hartington.

Miss Cecelia Rohde, who has been visiting her parents here, left yesterday for the east to resume her work on the stage. She was accompanied as far east as Chicago by her mother and there they will visit for a few days with two brothers of the actress.

The home of L. C. Bargett on South Ninth street has been sold to Thomas Knoll of Creighton, possession to be given early in August.

"We never get too much rain in Nebraska," said an optimistic commercial traveler in Norfolk today. "We have been burned out often enough, but we never get too much rain. Spring rain makes a good harvest."

Another cold, raw night and another cold, raw day characterized this unusual May month in Nebraska. Today the wind blew hard from the northwest all over this section of the state, and the air is very chilly. From a patch of water that has overflowed from the river just north of the M. & O. tracks, a cold, damp breeze comes down on the business portion of Norfolk.

The Woman's Missionary society of the Congregational church, together with the Methodist Missionary society, were very pleasantly entertained at the home of Mrs. John R. Hays Tuesday afternoon. Mrs. John D. Haskell of Wakefield was present and gave the ladies a most entertaining address on a "Trip to the Holy Land." Mrs. Haskell attended the Sunday school convention which last year met in Jerusalem, and her charming account of their journeyings was thoroughly enjoyed by all present. Many curios from foreign lands were offered for inspection. Two lovely duets were rendered by Mrs. Snyder and Mrs. Meredith. Delicious ices and cakes were served by the hostess.

It is reported from Lincoln that the Northwestern railway company is to do something in opposition to the proposed Sioux City-Ashland cut-off that is contemplated by the Great Northern railway. They have it there that the Northwestern is to build a line connecting Lincoln with Oakland, giving almost direct connection between the south Platte country and Sioux City. With the traffic arrangements now existing between the Northwestern and the Union Pacific, the arrangement would be easily accomplished, it is asserted, and if the line between Lincoln and Seward, tapping the Superior branch, is built, the road would have means of competing with the Hill interests in its bid for business, even in the latter's stronghold, the south Platte valley. Reports were given out from Omaha sometime ago to the effect that the Northwestern would do no building in Nebraska. However, since the announcement, the opposing lines have shown such signs of activity that serious doubts as to the advisability of inaction have crossed the minds of the high officials. Especially is this believed to be true, considering the fact that the Sioux City-Ashland cut-off would almost put the Northwestern's Omaha line out of business, reaching a district entered by the latter road only by a very roundabout way.

**Big Shoot at Nashville.**  
Nashville, Tenn., May 11.—One of the most notable shooting tournaments ever held in this part of the country was inaugurated auspiciously here today under the direction of the Cumberland Park Gun club. A large number of crack professional and amateur shots are taking part in the tournament, which is to last two days.

#### WATER IS HIGHER TODAY

**Foot Rise at Milldam—Half Mile of Railroad Track Out.**  
[From Thursday's Daily.]

Water in the Northfork river at Norfolk was a foot higher this morning than it had been last night, and was still rising. The mill is running its feed mill today, in spite of the water. It is not believed that the water will rise much more and no danger is feared.

The Elkhorst is still very high and out of its banks in places. The rain west and north of Norfolk was tremendous and last night's downpour did not tend to decrease the bulk of the flood.

A half mile of Northwestern railroad track was washed out near Meadow Grove by the water, Tuesday night. The night passenger train was delayed nearly all night but finally succeeded in getting through. The track has been repaired but the ground is too soft for much work. Trains, however, are running on schedule time now.

If you want help—men or women—get them easily with a little want ad in **The News.**

# THE DEFENSE WINS POINT

### TESTIMONY OF MAIL CLERKS FAVORS KOCH.

### BROOKS STILL ON THE STAND

#### Attempt to Impeach is Anticipated and Fought at All Points—Editor Testifies That Koch Did Not Commit Murder.

Mankato, Minn., May 6.—The defense made a strong point by securing the testimony of two mail clerks on the Minneapolis & St. Louis road, when they declared that the alleged poison package could not have been mailed on the date when Koch was last in Hanska. The clerk whose stamp appeared on the package was taking a lay off on that date and had the stamp locked up at his home.

Asa P. Brooks, the man who saw the murderer, was unchanged by cross-examination.

Answering questions by Senator Somerville, Mr. Brooks related the conversation with Mayor Silverson, in which the latter intimated that he would withdraw his friendship from the witness if he did not change his testimony, and Brooks said he "would not change his testimony if Silverson were to withdraw his patronage from the Review."

Mr. Brooks said that during the proceedings in the justice court Attorney Popham of Chicago said to him that in case the witness did not change his testimony it would be his duty to have Mr. Gebhardt cause his arrest for perjury and send him to the penitentiary.

The witness said that in a subsequent conversation with Mayor Silverson he told the latter that there was only one way that he could be mistaken, and that was if a man could so change his face and form through passion as not to be recognizable, but that he did not think Koch could do this.

**Certain as to Koch.**  
Mr. Brooks said that at the New Ulm trial he testified that Dr. Koch had a scar on his left cheek that he could see across the street. He said he did not recollect testifying that he heard "cries of anguish" from Dr. Gebhardt's office. The thought that a dental operation was going on when he looked over the transom, he said, was only a flash momentarily dismissed from his mind. The witness said the type of man he saw was that of Henry Somsen and Alfred Keller. The man was not a distinct type and in general appearance resembled a number of men known to the witness. He did not want to intimate that it was either Somsen, Keller or Koch. He was certain it was not Dr. Koch.

Senator Somerville then took up the various conversations which the witness was said by the state to have had. Nearly all of them he denied, and in all cases gave long explanations of the circumstances under which he said certain things.

He related one conversation with Mr. Zelle in which he said Mr. Zelle told him he (Brooks) was being persecuted and was losing all his friends, and asked him if he could not be mistaken as to the man he saw over the transom.

Then, the witness said, he had repeated to Mr. Zelle what he had said to Mayor Silverson about a man changing himself in passion. Senator Somerville asked:

"Did you believe a man could ever change his form through passion or otherwise so you could not recognize him?"

"I did not," was the reply.

When Senator Somerville was examining Mr. Brooks regarding the separate conversations, under the guise of asking a question, he made an uncomplimentary remark concerning reporters in general, which, upon objection of General Childs, the court ordered stricken from the record.

**Denies Reporter's Statement.**  
On cross-examination by General Childs, Mr. Brooks was asked concerning statements which he was said to have made to W. G. Shepard, a Minneapolis reporter, regarding his uncertainty as to the identity of the murderer. He denied most of the statements attributed to him.

Mr. Brooks had said, on redirect examination, that he had been "threatened" by persons associated with the prosecution because of his statements regarding the case. General Childs leaned forward in his chair and, pointing his finger at the witness, shouted:

"Did I ever threaten you, Mr. Brooks?" "No, sir."

"Did Mr. Pfander ever threaten you?" "No."

"Did Mr. Wilson ever threaten you?" "No."

"One thing more now, if the court please," said General Childs. "Mr. Brooks, you say when you ran upstairs you thought there was a 'rough house.' Now tell me why you got on the banister and looked through the transom."

"To attract attention—to get let in."

"So you got on the banisters and peeked over the transom to get let in, did you?" "Yes, sir."

"Oh, I think that's all," said General Childs.

**U. of M. May Festival.**  
Ann Arbor, Mich., May 11.—Many visitors are in Ann Arbor to attend the twelfth annual May Music festival at the University of Michigan. At the

opening concert this evening Mendelssohn's oratorio, "St. Paul," will be rendered, the leading parts being taken by Maud Fenelon Hollman, soprano, Alfred Shaw, tenor, and Herbert Witherspoon, bass. The festival will continue until the end of the week. The Chicago orchestra, conducted by Prof. Albert A. Stanley and Frederick A. Stock, will take part, and the chorus parts of the operas will be carried by the choral union of the university.

#### EDITORIAL NOTE

[The series of articles which will appear under the above heading, contributed by C. F. W. Marquardt, Neurologist and Ophthalmologist, will be interesting and instructive, so that if followed carefully the reader will be able to extract mental and physical benefits. Some of the propositions may appear remarkable in view of the popular view extant; but the object in giving them to the public is to cultivate reasoning powers and to show that popular ideas are fads, and why.]

Neurology refers to the nervous system and its function, and as the fountain of supply is located in the brain we will take it for a topic.

First we have the cerebrum or large brain which occupies most of the skull, and the cerebellum or smaller one which with the upper end of the spinal column occupies the rest. From the lower brain there extend twelve direct pairs of nerves to the organs operated and thirty-three pairs down the spine, making forty-three pairs. The upper brain is the intellectual department, and it is a fact not generally known that phrenologists have found forty-two faculties, as follows:

Individuality, form, size, color, eventuality, time, tune, number, order, weight, comparison, spirituality, hope, approbation, self-esteem, firmness, conscientiousness, continuity, inabitativeness, friendship, congeniality, parental love, causality, ideality, human nature, vitativeness, combativeness, secretiveness, cautiousness, alimentiveness, acquisitiveness, veneration, amativeness, sublimity, suavity, mirthfulness, constructiveness, language, locality, benevolence, imitation.

The nervous force which is created daily and distributed over the nervous system has the functions of sensation and motion; the first is the sensation of heat and special sense, the second is vascular and muscular motor. The vascular applies to all channels of the body, such as blood vessels, etc., while the muscular apply to all the departments of motion as organs and limbs.

The distribution of nerve force is remarkable in its duality, involuntary and voluntary. There is just enough current running out of the cerebellum to keep the blood circulating, operate the lungs and other organic functions, maintaining the heat of the body and promoting the changes which are constantly taking place; but when any special demands are made the various offices in the cerebrum take part in their faculty and demands of them. In order to be strong and healthy the head should be well developed behind the ears and low down, which is an indication of a large power house, but if it is well developed while the top head is deficient it is an indication of strength rather than intelligence and that the animal nature predominates. Another place that should be well developed is just above the ears. This gives width as well as length to the space occupied by the cerebellum.

There are many notable outward indications of the contents of the skull, and they are hardly fit for discussion because some may apply them too strongly, but if you give the benefit of the doubt to those you investigate by remembering one weak spot may be offset by several good ones, you may have it.

A narrow pupil distance indicates a narrow brain. It may be expert in one or two directions, but there is just that much lacking of symmetry; a forehead that slopes back decidedly can belong only to a dude or fool; if the chin is missing and in its place is a little dimple, put him in the same cage with the other fellow; if one's ears stick to his head like they had been pasted on, he is usually secretive, lacking in conscience; if the ears stand straight out from the head the person is easily influenced; is a tiresome conversationalist; a large nose, if reasonably well-formed, indicates good disposition, and a hooked nose usually means pugnacity of the mouth order, not necessarily with the first—they rarely fight, only in crowds; high cheek bones with deep hollows under them are usually found on people who pay more attention to idealizing than to practical things, and we frequently find in them weak stomachs and weak lungs; deep set eyes mean a deficiency in those organs which will cause nerve strain, and even may make a big nosed person ill tempered.

This last is an illustration of how one condition may offset many appearances, hence the necessity for the ability to analyze each case to make sure that the diagnosis is not mistaken.

In the next article I will show how we measure the motor supply in the tank (cerebellum) and get the pressure, so that we know how the sensory system stands, too.

If you have an article that you want to sell; or if you need an article that you'd like to buy; or if you have a house for rent or are after one—try News want ads. They reach thousands of people, and among those people there is likely someone anxious to make a deal with you.

# RAINING ON THE ROSEBUD

### UNTRUE THAT IT NEVER RAINS NORTH OF NEBRASKA.

### BEGINNING TO BREAK LAND

#### Many Acres Will be Plowed This Year and Many Have Already Been Turned—Water is Secured at Slight Depth—May Day Celebration.

The following letter has been received by The News from J. H. Sexton, formerly of Norfolk, who is now on the Rosebud reservation:

Gregory, S. D., May 8.—As I had heard so much of the growth and progress of the Rosebud reservation, since the opening last August, I thought I would join the multitude and see for myself. The agricultural outlook was never better in the west. The soil is a rich black loam ten inches deep, with a clay subsoil. There is a good supply of good water at an easy depth of twenty to fifty feet. The general lay of the land is rolling and not too rough for farming except along the creeks and breaks, which are the best grazing lands. There will be thousands of acres of this land broken up here this season, in fact it has already begun.

There will be quite a crop of sod corn and flax as well as a crop of potatoes. The building improvements here in a short time are surprising. There are many types of houses, from the bachelor's sod to the cozy cottage, made neat by the hand of woman. In fact this country reminds one of the land of Father Adam.

#### Rain on the Rosebud.

I wish I had the fellow here who said it never rained north of the Nebraska line. That is a mistake. All the land allotted by the drawing except the Indian claims, is taken. Some claims are changing hands at from \$100 to \$1,000 per acre.

Gregory celebrated the first day of May by erecting a flag pole on the butte north of town in the presence of about 2,000 people who had gathered in from the surrounding territory. There were strangers from every part of the earth and mingling with the multitude was the red man who seemed impressed with this ceremony. Dr. Spencer was the principal speaker. A song service by school children closed the day.

#### Child Fatally Injured.

Grand Island, Neb., May 10.—Special to The News: The 2-year-old child of August Krieger has been run over here and perhaps fatally injured by a runaway team.

#### Run Over by Train.

Broken Bow, Neb., May 10.—Ceil Sharp, while trying to board a freight train here, was thrown under the wheels, run over and so badly injured and mangled that he can not recover.

#### Whooping Cough.

This is a very dangerous disease unless properly treated. Statistics show that there are more deaths from it than from scarlet fever. All danger may be avoided, however, by giving Chamberlain's Cough Remedy. It liquefies the tough mucus, making it easier to expectorate, keeps the cough loose, and makes the paroxysms of coughing less frequent and less severe. It has been used in many epidemics of this disease with perfect success. For sale by Leonard the druggist.

#### TO JURY THIS WEEK.

**Koch Murder Trial Will Probably be Ready Friday Noon.**

Mankato, Minn., May 9.—The testimony in the Koch murder trial today brought out nothing new for the defense. Thus far, though the prosecution has developed more damaging circumstantial evidence against Koch than at the former trial, the defense has also been able to explain away many of the circumstances. It is now expected that the defense will rest on Wednesday, and that the jury will get the case by Friday noon.

#### WOMEN AID KOCH ALIBI.

**Tells How Scratches Came on His Hands.**

Mankato, Minn., May 8.—Miss Mary Fitzpatrick, daughter of Mr. Fitzpatrick, of New Ulm, and the sweetheart of Dr. Koch, came on the stand this morning. She is about 22 years old, a very sweet looking pretty girl, who testified that on the evening of November 1, Dr. Koch called on her at her home, bringing her a birthday present of a box of perfume. He remained about an hour. On the Sunday before, they had been out driving; the doctor had his gun. He got out of the buggy to shoot, and the horse was frightened, and Dr. Koch, running back through the bushes got some scratches, and she saw the scratches when Dr. Koch came to see her.

Dr. Vogel testified that he bought the package of perfume for Dr. Koch and identified the handsome perfume box displayed in court.

Dr. Vogel, on Monday before the murder, saw Koch, and saw a scratch on his face and a scratch on the palm of his right hand. He said:

"I joked him about his lady love, and he explained that he was out driving on Sunday, got out to hunt, and the horse started and he had to run back through the bushes."

Miss Emma Newmann, a New Ulm belle, and reported affianced to a young attorney on the side of the state, was called to the stand. She

A friend of the Home—  
A foe of the Trust

# Calumet Baking Powder

Moderate in price—Makes purest food.

testified that she and Miss Crone met Dr. Koch on the evening of November 1 at about 9 o'clock near the State bank and chatted with him. After they left him, and walked two blocks, the clock struck 9. He wore a black cravat coat, but she did not remember the hat.

Miss Antonia Crone, an impressive young lady corroborated the testimony of Miss Newmann. Miss Newmann had a toothache, November 2, and called on Dr. Koch for treatment. At that time she noticed nothing wrong with his hands.

Dr. Vogel, called again to the stand, told his story once more. Had seen Koch's hands before carbolic acid was spilled on the right hand. At that time there was one small scratch on the palm and one sign of an old sore on the knuckle.

#### Stuart Defeats Newport.

Stuart, Neb., May 6.—Special to The News: The Stuart base ball team played the Newport team on the Stuart diamond May 5, and the Newport team was defeated by a score of 9 to 4. Batteries: Stuart—Hunt and Zink; Newport—Kagley and Davis. Umpire, Flannigan.

#### JASKALEK'S WITHDRAWAL.

**Grand Master Workman Quits Race to Succeed Himself.**

The withdrawal of Jacob Jaskalek from the race for grand master workman in the A. O. U. W. grand lodge now being held in Omaha, was received with interest in Norfolk, where there is a good big lodge of enthusiastic Workmen. Mr. Jaskalek is well known here. He withdrew in favor of Former Congressman Sutherland.

#### JULIUS HULFF HONORED.

**Chosen as Grand Prelate of Knights of Pythias.**

At the meeting of the grand lodge Knights of Pythias, which has been in session at Omaha, Julius W. Hulff of this city was honored with an election to the position of grand prelate, which is the third office from the head. Another north Nebraska man honored was W. W. Young of Stanton, who is supreme representative.

#### Dinner for Mrs. Haskell.

Mrs. John R. Hays entertained a few friends at 6 o'clock dinner last evening for Mrs. Haskell of Wakefield, who was here to address a missionary gathering.

#### NORTHWEST LOOKS WELL.

**Norfolk Wholesaler Returns From Trip Over the Line.**

E. B. Kauffmann, who has just returned from a trip up the Bonesteel line of the Northwestern, where he went in the interest of his wholesale business, says that the country throughout the northwest has never looked better in all of its life than it does right now and that business in the towns along the Bonesteel line is flourishing. He says that the activity around Bonesteel is constant on account of the freighting being done from that point to the reservation towns.

#### A Grand Musical Event.

The great closing musical event of the season at Omaha Auditorium will be the appearance of Madame Gadski, the famous singer, and the Pittsburg orchestra on Tuesday, May 16. This great combination will give two concerts, a matinee at 2:30 and an evening concert at 8:15. Emil Paur, the celebrated pianist and director of the orchestra, will appear as soloist at the afternoon performance and Madame Gadski will present three numbers on the evening program. The Omaha Festival chorus will assist the orchestra and Madame Gadski at the evening performance. A large number of people are going to Omaha from Lincoln, Fremont, Columbus and other surrounding cities to hear these famous artists. The reasonable prices at which the tickets have been placed is a great inducement. For the matinee the reserved seats are 50c and 75c, and for the evening, \$1.00 and \$1.50. Seats may be reserved in advance by sending check to J. M. Gillan, manager Auditorium, Omaha.

#### Letter List.

List of letters remaining uncalled for at the postoffice at Norfolk, Neb., May 9, 1905:

Mr. John Christiansen 2, Miss Johanna Kollisher, Mr. W. W. Rogers, Mr. Frank Seeley, Mr. E. E. Turbush, Mr. Ed Williams, Mr. Jos. Wilkei, Mr. Fred Watkins, Mr. Willi Yount.

John R. Hays, P. M.

If not called for in fifteen days will be sent to the dead letter office.

Parties calling for any of the above please say "advertised."

John R. Hays, P. M.

# OSTEOPATHY

DR. O. R. MEREDITH  
Office and Residence, 109 North Tenth Street.  
PHONE 254.