

SCHOOL BOARD SUES CITY

AN UNUSUAL CASE AT HERRICK, SOUTH DAKOTA.

CONTROVERSY OVER TOWN CASH

School Board Claims That Town Board Has \$1,200 Which Should be Paid Into the School Fund—Money Was Collected From Sale of Lots.

Fairfax, S. D., Sept. 17.—Special to The News: The school board of Herrick, one of the new towns on the reservation, has brought suit against the town board of that place. The town board last spring made proof on the townsite and gave deeds to the lots to those who had the required improvements. The townsite laws make it plain that all monies received over and above the expense of making proof, giving deeds, etc., shall be paid to the school board and go into the school board treasury. The school board claims that there is \$1,200 left over and above all expenses and that it should be paid over to them. The suit will be watched with interest.

FRIDAY FACTS.

S. G. Dean went to Tilden at noon. Miss Opal Olmshead is on the sick list today. Mrs. J. H. Oxman has been ill for a few days. R. F. King of Tilden is a business visitor today. Steele Beck is in Sioux City attending the races. L. Buckendorf went to Bassett on business today. Mrs. S. M. Foster of Anoka is in the city visiting. Paul Hoekstock of Humphrey is in the city visiting. Mrs. James Hight of Walker, Ia., arrived this noon. C. Vozik of Osmond is in the city on business today. C. S. Hayes went to Battle Creek on railroad business. Mr. and Mrs. Kilburn were in the city shopping yesterday. George Stratton of Washta, Iowa, is in the city for a few days. C. H. West of Chicago is visiting his sister, Mrs. H. E. Owen. Mr. and Mrs. Andrew Lund of Stanton were in the city yesterday. Mr. and Mrs. Max Asmus went to West Point on a visit today. R. A. Haskins of the Stuart Advocate, was in the city on business today. Oscar Johnson of Hoskins spent the day in the city yesterday. H. E. Healy and wife are visiting in the city today from Lynch. J. E. Douglas and wife of Madison are in the city shopping today. Mr. and Mrs. Frank Klug of Stanton were in the city yesterday. Mrs. N. P. Ryan went to Creighton at noon to visit with her mother. F. G. Coryell went to Sioux City this morning to attend the fair. Miss Maude Hoerger will leave tomorrow morning for Portland, Ore. L. Koelngstein returned from a business trip to Stanton last night. Miss Florence Estabrook went to Plainview this noon to teach music. Mr. and Mrs. H. Klug of Stanton were shopping in the city yesterday. Mr. and Mrs. Chas. Hagenmyer of Battle Creek were in the city yesterday. C. S. Hayes returned from Wisner last night where he has been on business. Mrs. W. W. Wilson will leave for a visit today to her home in Iowa Falls, Ia. Charles Wurzbacher, station agent at Tilden, was in Norfolk yesterday afternoon. Mrs. Gullams of Washta, Iowa, is visiting her brother, Frank Rannay at Warnerville. Engineer George Parker went to Merriman last night to look after his interests there. Sanford Parker of the O'Neill land office, was in Norfolk this morning on his way to Spencer. Gilbert Anderson returned from Missouri Valley last night where he has been on a visit. Miss Clara Hansen of Herman Neb., is in the city, visiting her sister, Mrs. J. F. Poucher. W. J. White returned from Sioux City last night where he has been on business for a week. E. F. Huse left for Lincoln this morning, where he will continue his work at the state university. Ralph Boyd returned from Columbus last night where he has been to attend the wedding of his sister. Charles F. More, the horseman of Omaha, returned from Sioux City yesterday, where he attended the races. George Sweeney of O'Neill, Neb., passed through the city on his way to the Dugan funeral at Wisner, this morning. John Dingman of Missouri Valley is in town for a few days visit to his sister, Miss Nell Dingman and Mrs. B. Sornberger. The Misses Hattie and Martha Lenz have returned from Europe to Omaha, where they will engage in business immediately. Miss Bertha Pilger came up for a visit with her mother, Mrs. B. Pilger, last night and returned to her school at Stanton this morning. Mrs. T. W. Moody who has been visiting friends in the city, left for Creighton this morning where she will visit before returning to her home in Walker, Ia. C. S. Hayes went to Wisner yesterday to visit the stock show. He reports a very fine exhibit, better than any he has ever seen in Nebraska out-

side of the state fair. One thousand 25-cent tickets were sold yesterday. Steps leading up to the Nebraska telephone office are being repaired. D. B. Duffy has moved his office from the Mast block to the Cotton block. H. A. Pasewalk has received an order for fifty tons of boots to be shipped to Ames next week. Mrs. J. F. Poucher entertained the Ladies' Society of the Methodist church yesterday afternoon. The Norfolk Driving club are painting and otherwise improving their buildings at the race track. Tracy & Durland sold one of the new homes on South First street, recently built by A. J. Durland, to Arthur Nyland, who expects to make it his home. M. Hrubaker, who has long lived in Madison county, leaves tomorrow for Roseburg, Oregon, to make his home. The seniors of the high school are to have an ice cream social on the high school lawn a week from today. The first dancing party of the season will be given by the Trinity Social guild at Marquardt hall this evening. Mrs. George D. Butterfield is entertaining this afternoon in honor of her guest, Mrs. J. E. Burmeister of Davenport, Ia. New sidewalks are being built in front of the L. M. Gaylord property on Madison avenue between Fourth and Fifth. Nole Dickerson of Verdigré, who has been taking treatment for his eyes in Norfolk, returned home at noon yesterday, much improved. N. A. Rainbolt recently sold a quarter section of land in Knox county for \$25 per acre, and a half section in the same county for \$40 an acre. Mrs. J. H. Allen has received twelve bushels of peaches which were raised in the southern part of the state. They are of an exceptionally fine type. The funeral of Charles Dugan was held at the home in Wisner at 10 o'clock this morning. A number of friends and relatives went from here to attend the services. The Sunday school class of Miss Ruth Shaw very pleasantly surprised her last evening at her home, presenting her with a beautiful pearl paper knife. A delightful evening was enjoyed. The city milk house have recently installed a motor in their building to take the place of the steam engine that they previously used, and they also have their own independent pump which they have recently installed. The band boys held a meeting last night at the city hall and practiced their new pieces. The boys claim that if they can secure a tuba player the band will be complete and giving concerts in less than a month's time. The democratic senatorial convention for the district comprising the counties of Madison, Pierce, Stanton and Wayne, has been called to meet in Norfolk, on Monday, September 17. A candidate for state senator will be placed in nomination. A letter received this morning from D. C. Covert, formerly of this place but now living at Montavilla, Oregon, announcing the death at her home near Portland, Oregon, on September 3, of Mrs. Emelia Kretzer, wife of C. D. Kretzer. Interment will take place at Vinton, Iowa. A surprise party was held at the home of James Hay last night in honor of his daughter, Lottie, the occasion being a farewell to her. Miss Lottie will leave soon with her mother for an extended visit in Los Angeles, Cal. Social games were the feature of the party, after which a delicious luncheon was served, about twenty-five of her friends being present. Pat Stanton was in Norfolk yesterday from Tilden. He was enroute to Creighton, after having attended the races at Sioux City, and he was enthusiastic in his words for the approaching fall carnival which is to be held at Tilden. The dates for the carnival are October 3, 4 and 5—Wednesday, Thursday and Friday. Thursday of that week will be known as Norfolk day and a special train will be run from Norfolk to that town to accommodate the crowds. Several hundred dollars have been put up as prizes for the various events which are to come off, and more than fifty entries have been secured for the races. Robert A. Dillon, formerly of Oakdale, Neb., a railway fireman running out of Des Moines, but well known in Norfolk and Fremont, died September 7 on his engine, while running out of Des Moines. Tumor of the brain was the cause of death. He lapsed into unconsciousness and succumbed in twenty-four hours. Funeral services were held from his home and the remains were interred in Woodland cemetery, Des Moines. Beautiful floral tributes were received by the stricken family. Mr. Dillon was thirty-two years of age and leaves a wife, father and mother, two sisters and five brothers. He was the son of A. B. Dillon of Oakdale. The Northeast Nebraska Baptist association, which has been in session at Creighton during the week, adjourned last evening, and most of the delegates came down on the morning train. Rev. J. W. Benjamin of Norfolk was elected moderator. Rev. Mr. Boyles of Plainview secretary and Mr. Reckard of Stanton treasurer. Norfolk did not secure the next meeting as had been hoped, but it goes to Ponca, and will be held the third week in August. The meeting at Creighton was well attended, the fourteen churches in the association being largely represented. Among those present from Norfolk were Rev. and Mrs. Benjamin, Mrs. T. W. Johnson, Z. H. Bateman, Mrs. H. A. Squires and Miss Ethel White.

THEY DID PLAY THAT GAME

NELIGH AND STANTON FINALLY GOT TOGETHER.

WAS A BENEFIT FOR FOSBERG

Neligh Defeated Stanton by a Score of Eight to Two on the Oakdale Diamond, in Spite of Neligh's Predictions to the Contrary.

Oakdale, Sept. 15.—Special to The News. In spite of all contradictions the game between Neligh and Stanton was played here as announced. The full Neligh team was present and played as the Neligh team. The attendance was small because of the persistent efforts on the part of Neligh people to spread the report that no game would be played. The entire gate receipts, which amounted to \$40.80, were given to Carl Fosberg, the Neligh player who had his leg broken at Albion on July 4. The Stanton boys came up minus a couple of players, but under this handicap put up a good game. The Neligh boys played their usual strong game and won by a score of 8 to 2. The summary of the game is as follows: Neligh 2 0 4 0 2 0 0 0 x-8 Stanton 1 0 0 1 0 0 0 0 0-2 Batteries: Neligh, Alstott and Alberts; Stanton, Mayer and Hopper. Struck out: by Alstott 16; by Mayer 4. Bases on balls: off Alstott 4; off Mayer 2. Hits, Neligh 3, Stanton 3. The expenses of the game were paid by Oakdale business men and they only regret that the attendance was not larger so that the amount presented to Mr. Fosberg might have been more substantial. Neligh, Neb., Sept. 15.—The game came off after all sore spots and misunderstandings between the manager, Dr. Conwell, of the Neligh team and outside parties, had been healed up. That Neligh will have a couple of fast games of ball is now an assured fact. Manager Conwell has secured the promise and accepted the terms of the Fremont team who will play in this city on Monday and Tuesday, September 24 and 25. Both games will be played at Riverside ball park, and the home team will try conclusions with the fast Fremont aggregation.

Old Lady Has Bad Fall.

Mrs. E. Boldt of South Fifth street while getting into a carriage yesterday fell and injured her shoulder so that she will be laid up for several days.

CHANDLER OWEN ALL RIGHT.

Norfolk Boy, Badly Injured, is Recovering in Omaha Hospital.

Mrs. H. E. Owen has just returned from Omaha, where she went to see her son, Chandler, who was so cruelly injured recently under a train. She finds that he is getting along nicely, and that he will get well without a doubt.

Wild Animals.

Farmers every day are telling of the increasing number of wolves and wild animals that are to be seen around the country of late. Only this morning a coon was seen not far from the Rome Miller barn at the Junction. This undoubtedly accounts for the losing of so many chickens lately in that neighborhood.

Lost End of Finger.

Dad Hinz, engineer on the U. P. passenger between Norfolk and Columbus, had the end of his finger taken off yesterday while working around his engine.

Bridges Finished Tomorrow.

Farmers living north of town will be pleased to learn that the new steel bridges will be completed tomorrow if nothing happens to delay the workmen in their work.

Steel in His Eye.

Yesterday while Harry Demming was working over a lathe in the C. & N. W. shops at the Junction, a piece of steel flew in his eye, burying itself out of sight in the eyeball. The wound is a very painful one and may be serious to the eyesight if the steel is not removed soon. Mr. Demming went to Omaha today to consult Dr. Gifford, the railroad company's oculist.

SOME OF THE JURYMEN.

Five Who Are to Sit on Grand Jury, Pass Through Here.

Five of the sixteen grand jurors drawn to sit on the grand jury at Madison, passed through Norfolk and went down to Madison on the afternoon freight train, along with Judge Boyd. They were: Tom Hanse and Mike Carmody, Tilden; Mike Hughes, A. B. Richardson and P. F. Zimmerman, Battle Creek. Herman Baettow of Norfolk was drawn but, on account of illness, was excused from serving.

Emory Bonney Hurt by Train.

Emory Bonney, eighteen years of age, whose parents live in the brick building on Norfolk avenue west of the tracks, known as the Wittler building, was seriously injured under a freight car at Portland, Ill., today. Word of the accident was received in a telegram, though just how serious is the condition of the boy was not stated. Mrs. Bonney has wired for more definite information and, in case her son can be brought here, that will be done, while she will leave immediately in case he can not be brought. The boy lived here this summer.

HUMPHREY GOES TO OMAHA.

Norfolk Business Man, Who Recently Sold Out, Leaves Soon.

Mr. and Mrs. J. W. Humphrey expect to leave the first of next week for Omaha, where they will make their future home. Mr. Humphrey will engage in business in that city, having leased an establishment at Fourteenth and Farnam streets.

GRAND JURY IN SESSION

COMPLAINTS FILED AGAINST NORFOLK INSANE HOSPITAL.

ATTENDANTS ARE ON STAND

A Two Hours' Session Was Held Last Night, When Miss Johnston and Jim Taylor Were Placed on the Witness Stand—Former Grand Juries.

The grand jury was convened at Madison yesterday afternoon and an evening session of two hours was held. Complaints were presented by Attendant Biggs and Attendant Cronk, asking the grand jury to investigate alleged cruelties and manslaughter at the state insane hospital here. The alleged crimes are charged as having occurred last winter. The testimony of two attendants, Miss Johnston and Jim Taylor was heard last night, but not made public, as the investigation is being held behind closed doors. The work was resumed this morning. The grand jurors are: F. P. Prince, Madison. A. B. Richardson, Battle Creek. B. H. Baker, Meadow Grove. William Busted, Fairview precinct. Fred H. Davis, Madison. H. E. Owens, Norfolk. P. W. Ruth, Newman Grove. S. H. Grant, Madison. P. F. Zimmerman, Battle Creek. M. J. Hughes, Battle Creek. T. K. Hanson, Tilden. S. G. Dean, Norfolk. S. W. Garvin, Norfolk. Bert McGinnis, Warnerville. T. J. Malone, Enola. M. W. Carmody, Tilden.

Personell of the Grand Jury.

F. P. Prince, foreman, is the son of E. F. Prince, a pioneer of Madison, who built the Prince hotel in the early days. Frank is engaged in the general merchandise business at Madison. He was in the legislature in 1898. A. B. Richardson is a farmer from Valley precinct and served a term as county treasurer in 1885 and 1886. B. H. Baker is a business man and old settler of Meadow Grove. He has a son, a physician at Madison. Wm. Busted is a large farmer and stock raiser of Fairview precinct. Fred H. Davis is a prominent attorney at Madison and is a son of Geo. Davis, who was a prominent sheriff of Madison county twenty years ago. H. E. Owens is a railroad contractor and farmer with large farms in Stanton county. He resides at Norfolk. P. W. Ruth is a business man at Newman Grove and is one of the assessors of Madison county. S. H. Grant is a prominent farmer of Emerick and has taken an active part in the affairs of the county for thirty-five years. P. F. Zimmerman is a resident of Battle Creek, has served in the legislature and has been county commissioner. M. J. Hughes is an old settler and a wealthy farmer living west of Battle Creek. T. K. Hanson lives at Tilden. He is an old settler and was a candidate for county treasurer two years ago. S. G. Dean is a business man of Norfolk and prominently identified with Madison county, having held various public offices. S. W. Garvin is engaged in the real estate business at Norfolk. He is a man of means, was in the civil war and is prominent among capitalists. Bert McGinnis is the son of a pioneer of Warnerville precinct and is well known. T. J. Malone is the founder of Enola, has lived in Madison county a quarter of a century and has large interests in the county. M. W. Carmody is an old-time resident of Tilden and enjoys deserved prominence there.

The jury consists of eight democrats and eight republicans. Their names were drawn from those left over from the sixty selected for the jury in the last term of district court.

LAST GRAND JURY IN COUNTY.

Was Held About Twenty-five Years Ago, on a Norfolk Crime.

It is now almost a quarter of a century ago since the last grand jury was called in Madison county. The case under investigation at that time was a charge brought against Chas. Schlep for attempted criminal assault on a Bohemian woman living near the mill in Norfolk. Curiously enough S. H. Grant, who is serving on the present jury, was on that jury also. Henry Maurer, who now lives at Madison, was also a member of that jury. Another sensational case was that of a man by the name of Bliffeld, known as "Johnny Smoker," who was found dead in a watermelon patch at Newman Grove thirty-six years ago. His murderer was never discovered. It was believed that he had been murdered and his body placed in the melon field to give the impression that he had been shot there. Two of the early settlers of Newman Grove now dead or gone away were charged with the crime, but positive proof was lacking.

MARKET DAY PLAN WORKS

G. A. KUHL SAYS IT IS SUCCESS IN WISCONSIN.

COULD BE SUCCESS IN NORFOLK

The Plan of Having a Bargain Day and Market Day in Town Once Every So Often, is Working Other Places—Up to Commercial Club.

G. A. Kuhl is authority for the statement that the plan suggested in these columns some weeks ago, for the developing of a bargain or market day in Norfolk once a month, is now being successfully worked, and has been successfully worked for some time, at Watertown, Wisconsin. Watertown is a German community, so that the same plan which would work well there ought to work equally well in Norfolk. The "market day" custom there was brought over to this country from Germany by the early settlers. On one day of each week—every Tuesday—there is a "market day." On that day the German farmers from miles around flock into the city with every article of any description whatever, which they wish to trade. One man will come twenty-five miles with an old buggy which he wants to get rid of, and another from another neighborhood will come in prepared to trade something for a buggy. Mr. Kuhl says that the day is a magnificent success and has been for years. Hundreds of farmers come to town every Tuesday for this occasion.

And, to supplement the bargain day, an annual three days' fair is held which is largely attended. "I have seen this plan work in the German settlement of Wisconsin," said Mr. Kuhl, "and I know that it would work in Norfolk. It ought to be given a trial by the Commercial Club of Norfolk."

WILL GRAVEL MAIN STREET

CITY HAS PURCHASED AN ACRE OF GRAVEL FOR WORK.

WILL BEGIN HAULING THIS WEEK

It is Estimated That 1,000 Loads of Gravel Will be Necessary—Anyone May Haul at Seventy-five Cents Per Load—From First to Sixth.

(From Monday's Daily.)

Norfolk avenue, between First and Sixth streets, is to be paved with gravel. The work of covering the main street of the city with this material will begin this week, as soon as the road is dry enough. It is thought that the hauling of the gravel will begin probably about Thursday. The city council, through a committee recently appointed for that work, Saturday afternoon purchased from Mr. Raasch, living west of the city, an acre of his farm. In this acre is much gravel fit for use on the streets, and from the pit 1,000 loads will be hauled for the purpose of covering Norfolk avenue. Anyone who desires to haul gravel will be allowed to do so and the city will pay for the work seventy-five cents per load, each load to contain one and a half cubic yards of gravel. The gravelling was almost necessary because of the gutters that have just been built. Without gravel it was feared water would soak underneath the gutters and, when a freeze came, crack the concrete. The gravel, on the other hand, is calculated to act as a pavement which will turn the water directly into the gutters. The coat of gravel will be several inches deep. It is believed that, now that a gravel pit has been secured, First street will also be graveled, making a Junction roadway of high excellence and making possible an automobile passenger line.

A Son.

Twelve-pound son was born Thursday to Mr. and Mrs. Lon Masley.

RENT PAYS FOR LAND.

Fertile Sections of the Southwest, Where Land Sells for \$15 and Rents for \$5 Per Acre.

One of the remarkable things about eastern Arkansas and northern Louisiana is the fact that cleared land rents for \$5 per acre cash, and can be bought for \$7.50 to \$15 per acre. It costs from \$6 to \$10 an acre to clear it. Other improvements necessary are slight and inexpensive. The soil is rich alluvial, or made. It produces a bale of cotton per acre, worth \$45 to \$60. This accounts for its high rental value. Other crops, such as corn, small grains, grasses, vegetables and fruits thrive as well. Alfalfa yields 4 to 6 cuttings, a ton to a cutting, and brings \$10 to \$16 per ton. In other sections of these states, and in Texas as well, the rolling or hill-land is especially adapted to stock raising and fruit farming. Land is very cheap, \$5 to \$10 per acre; improved farms \$10 to \$25 per acre. The new White river country offers many opportunities for settler. High, rolling, fine water—it is naturally adapted to stock and fruit raising. Can be bought as low as \$3 per acre. See this great country for yourself and pick out a location. Descriptive literature, with maps, free on request. The Missouri Pacific-Iron Mountain

System lines sell reduced rate round-trip tickets on first and third Tuesdays of each month to points in the west and southwest, good returning 21 days, with stop-overs. For descriptive literature, maps, time tables, etc., write to Tom Hughes, traveling passenger agent, Omaha, Neb., or H. C. Townsend, general passenger and ticket agent, St. Louis, Mo.

REV. J. F. POUCHER LEAVES

PASTOR OF METHODIST CHURCH GOES TO OMAHA.

HE IS POPULAR IN NORFOLK

He Takes Charge of the Seward Street Church in Omaha and Will Leave This Week, to Preach There Next Sunday—Rev. J. L. Vallow Comes.

(From Monday's Daily.)

Rev. J. F. Poucher, pastor of the First M. E. church of Norfolk for the past five years, has been transferred by the conference at Central City to the Seward street church in Omaha. He will leave this week and will take charge of his new pastorate next Sunday. Rev. J. L. Vallow will succeed Mr. Poucher as pastor of the Norfolk church. Word of the change was received today by Mrs. Poucher. Mr. Poucher will arrive in Norfolk at 7:30 tonight and will begin to pack household goods immediately, preparatory to the change. The news of the transfer of Mr. Poucher from Norfolk to Omaha will come as a shock to hundreds of friends in this city, both in the church and out, and will be received with sincere sorrow. For five years he has been pastor of the Methodist church here, and during that time he has made for himself a warm place in the hearts of his churchfolk and the people of Norfolk generally. He has been one of the most popular ministers ever located in the community and his loss will be felt by many. A young man, clean-cut and progressive, Mr. Poucher's friends predict for him an eminent success in his new charge as pastor of an Omaha church, and those who have known him in Norfolk will watch his progress with interest and with the expectation of a still higher place in the ministry. Mr. Vallow is one of the prominent Methodist clergymen of Nebraska, and has been in charge of the church at Grand Island for some time past.

Fifty Years a Blacksmith.

Hixburg, adjoining the famous Apomattox, where the gallant Lee surrendered to the famous Grant, is the home of Samuel R. Worley, now eighty-five years of age, and actively engaged in horseshoeing, who often relates how he shod horses of Unionists and Confederates from 1860 to 1865, making the shoes and fitting them. Mr. Worley says: "I have been shoeing horses for more than fifty years, and Chamberlain's Pain Balm has given me great relief from lame back and rheumatism, which advancing years and hard work brought, and it is the best liniment I ever used." When troubled with rheumatic pains or soreness of the muscles give Pain Balm a trial and you are certain to be pleased with the prompt relief which it affords. For sale by Leonard, the Druggist.

O. R. MEREDITH, D. O. OSTEOPATH.

Office, Cotton block, Ash 541, residence, 109 North Tenth street, phone Ash 542.

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