

BUSHNELL IS NOT GUILTY

ROBBERY CHARGE AGAINST NORFOLK MAN NOT PROVEN.

COMBS HAD MERRY TIME HERE

Laborer Who Worked on the Railroad Extension Out of Bonesteel Tells How He Arrived, Got a Ticket to Jagville and Landed in Jail.

Madison, Neb., Dec. 13.—Special to The News: Fred Bushnell of Norfolk, charged with robbing William Combs, a railroad laborer from the Bonesteel extension, was acquitted in district court last night and has gone home a free man.

He and Combs, who was held as a witness, have been in jail here for some weeks, pending the trial. The testimony of the complaining witness was very unsatisfactory and the verdict was brought in within a few minutes after the case ended. During the trial Combs admitted that he had come to Norfolk with money, had spent freely for drinks and other things, and had ended his one long tremendous spree by bowling up with Bushnell. He confessed that he had fallen into a stupor, was not sure that he had any money in the first place, nor that any one robbed him in the second place. In the third place he thought somebody had gone through his pockets, but he couldn't be sure. Combs said he had a knife when he left Bonesteel. The knife was found in Bushnell's pocket. Combs said he thought somebody went through his pockets when he was drunk. Ernest Marshall said he saw Bushnell in an alley, his knee in Combs' back, beating the Bonesteel man. Bushnell said he borrowed the knife in the afternoon. On top of all this flimsy evidence, Bushnell's wife (for the beating of whom he was once in police court) was on deck with their little baby, to testify in her husband's behalf. The baby cried at critical moments, Bushnell spent a good portion of the afternoon in taking care of the weeping little thing, and the jury set him free.

Combs Had a Good Time Here.

Combs, the complaining witness, who was rather an old man and a cripple, testified that he left the extension work near Bonesteel and started for Kansas City with money in his jeans. He got as far as Norfolk and has been in jail ever since because somebody was charged with robbing him.

Burt Mapes, attorney for the defense, tangled Combs up in such a mess that the complaining witness was glad to get out without being convicted, himself, for various misdemeanors. Mr. Mapes took the complainant away back to the beginning of the trip from Bonesteel to Norfolk, and drew out the story a mile at a time. It was developed that before Combs reached Norfolk he was pretty well on the road to Jagville. He bought a through ticket for that destination when he got to Norfolk, a ticket with stop-over privileges. And he had a merry time. Very merry, indeed. There was nothing that he failed to take in. And he was "going some" when he met this Bushnell.

Thought He Had Money.

Well, Combs thought he had money when he met Bushnell. But he was not at all sure about it. He may have had \$10 and he may have had ten cents. Maybe not that much. He played cards with Bushnell. Special Officer Williams, who had said that he saw Bushnell cheating Combs in the play, did not testify to that fact on the stand.

At about supper time Combs says he fell into a stupor. He went to dreamland without being able to recall just what he dreamt of. He thinks he remembers having been out in the open and that somebody went through his pockets. Ernest Marshall, fireman next door, testified that he came upon Bushnell pounding Combs and that Bushnell, with vile names, ordered him to make himself scarce in that vicinity. So he did it.

The next thing Combs remembered was the jail door starting him in the face, when he awoke. When he awoke he was without money. Also his knife was missing. The police found the knife in Bushnell's pocket but Bushnell says he borrowed it in the afternoon, and Combs could not deny it.

Mrs. Bushnell, mother of the accused man, testified in her son's behalf. So did his wife. So, but unwittingly, did the little crying babe.

And now Bushnell is free, and Combs a merry time and a jail lodging to the good, is also free.

TRINITY CHURCH MISSION.

Dr. Westcott Speaks of Present Prosperity in America.

The Trinity church mission services yesterday were attended by increasing congregations and interest is growing. In his instruction in the afternoon, Rev. Dr. Westcott spoke on "Preparation for Heaven," and in his sermon he preached on, "The Good Fight," taking for his text, "I have fought a good fight; I have finished my course. I have kept the faith."

Tuesday's Sermon.

He is a forceful speaker most earnest in his manner. Taking his text from the 8th chapter of Deut., 10th and 11th verses, the preacher drew a striking lesson on the dangers to be faced by the Israelites on the last stage of their long journey through the wilderness before entering the Promised land and then went on to show that their chief danger of which Moses even was warning them, when all these difficulties were accomplished

and they were safely in the Promised land, was the greatest of all danger, the danger of forgetting God. In the wilderness the Israelites could not easily forget God. With the ash the sign of the presence of God, the perpetual signs of God's miraculous power around them, the manna from above, the water springing from the rock they could not possibly forget Him but when settled in the Promised land and no longer so visibly dependent on God, there was the danger of forgetting Him. The preacher in the course of his interesting sermon went on to show that in the world of today, when anything startling occurs which seems almost a miracle, our minds turn instinctively to God and religion. In the time of war especially when maddened with disaster and defeat, a strange seriousness overtakes a nation. Men then remember the King of Kings. Trials, poverty, storms and tempests force this on us but padded in luxury nothing disturbs us and the giver of all blessings is forgotten. Here said Dr. Westcott is a great lesson for all good citizens of America that in the midst of our national prosperity we see to it that we fail not to render unto God the things that are God's and give back to Him something of what He has given to us. Speaking of Memorial day the preacher said the decorating of the soldiers' graves was a beautiful and pious custom, "Lest we forget" those who fought for their country's flag. The great danger was that the true sentiment of the day should be forgotten and degenerate into mere sight seeing and pleasure.

Taking the key-note of his sermon, "Lest we forget," Dr. Westcott applied them to the baptismal and confirmation vows, the marriage vows, the observation of Sunday, the setting aside of Friday as a day of fasting and prayer and the obeying of the captain's dying command in the institution of the Holy communion, "Do this in remembrance of me."

OMAHA'S WATER PROBLEM.

Municipal Ownership Faddists are For Building Another Plant.

Omaha, Dec. 13.—Special to The News: This city's municipal waterworks system, which has caused so much trouble and loss of money in the courts for the past four years, has taken a sudden turn and instead of having a single system, Omaha may now find itself with two complete water systems in its streets, both of them belonging to the city and both being operated in the usual slipshod manner of a municipally owned public utility.

The Omaha water board has just appointed a committee to lay plans for the construction of a new water system, without regard to the plant which is now supplying Omaha and the suburban towns with water. The present system is a private corporation, but for the past five years the city has been making unsuccessful attempts at purchasing this system from its owners. In fact, the city council, four years ago, passed a resolution to buy this plant and the city voted \$3,000,000 for that purpose, but with the exception of a mountain of debts incurred in law suits, costs of appraisements, lawyers' fees, salaries of water boards with nothing to manage, etc., Omaha has absolutely nothing to show for its plunge into the ownership of its own waterworks.

If the intentions and instructions of the water board are carried out that body will immediately begin the construction of a new waterworks system.

And the old waterworks company is now in United States court with a suit to force the water board to purchase the present system at a cost which most people declare is far in excess of its value, but one which the appraisers appointed by the board and by the company declared to be a fair valuation.

The latest action of the water board came in the way of a resolution rescinding its action in attempting to make terms with the Omaha water company for the present plant, although that action was originally taken because of a vote cast in favor of so doing by the tax payers of Omaha. Whether or not the water board has the right to overrule this vote is a question which must also be taken into consideration when the action finally comes up in court.

Although the case has been in court for four years already, the latest action of the water board bids fair to make rich pickings for the lawyers, at the expense of the city and tax payers, for a number of years to come.

And if no more successful in constructing the new plant, than in getting possession of the old one at a fair price, the city will be without any water plant at all, instead of having two of them on its hands.

Meanwhile, the citizens themselves are heartily tired of the expense to which they are being put by the attempts of the municipal ownership faddists to force the city into a business with which a majority of the citizens are not in sympathy and do not want.

For Contract Fulfillment.

Madison, Neb., Dec. 12.—Special to The News: The case of Frank Wintergreen, an implement dealer of Newman Grove, vs. Samuel Kurgowiet of Madison, suing for fulfillment of contract on the purchase of a cream separator, was put on this morning.

FOR GENERAL LAND OFFICE

NELSON B. SWEITZER OF NIOBRARA IN THE RACE.

ENDORSEMENTS TO WASHINGTON

State Wide List of Strong Endorsements are Backing Prominent Nebraskan for the Appointment to Succeed Commissioner Richards.

Niobrara, Neb., Dec. 12.—Special to The News: Friends of Nelson B. Sweitzer forwarded this morning a strong state endorsement to the Nebraska delegation at Washington asking for his appointment as commissioner of the general land office.

He has been for years employed by the general land office in adjusting government surveys and is said to understand thoroughly the many intricate questions of field work. His land office record is said to be of the highest order.

The endorsement comprised leading men and politicians in the state, who feel that Nebraska is entitled to this important appointment. Mr. Sweitzer is son of the late General Sweitzer and is a native of Nebraska.

THURSDAY TIDINGS.

H. E. Owen came up from Omaha last night.

F. M. Gill of Shoshoni, Wyoming, is in the city.

Chas. Pilger left for Omaha Thursday morning on business.

Mrs. C. A. Goltz of Winside, was a Norfolk visitor yesterday.

George W. Menger of Pilger was a visitor in Norfolk Thursday.

Mr. Hitchcock of Omaha was doing business in the city Thursday.

W. H. Marshall of Osceola was in the city on business Thursday.

Edward Peterson went to Minnesota on a land deal yesterday.

Mr. and Mrs. W. N. Huse returned last night from Excelsior Springs, Mo.

J. G. Rhoades came down from Stuart yesterday on his way to Hastings.

Royal Hudspeth, the Newport booster, went to Council Bluffs yesterday.

James Blair is in the city from Lincoln to look after his farm south of town.

Mrs. Goodspeed and party of five came down from Plainville Thursday morning.

F. J. Dishner, a prominent landman of O'Neill, was in Norfolk yesterday forenoon.

Ralph Sutliff left yesterday for Harward, Iowa, where he will visit until after Christmas.

Paul Krahn of St. Ansgar, Iowa, is in the city to spend the holidays with his uncle, C. H. Krahn.

Harold Gow returned to Lincoln yesterday after being home to appear as a witness in the Dietz trial.

Harry Lantis of Niobrara was in Norfolk Thursday forenoon. He has been in Iowa for some time.

J. S. McClary left yesterday for Evanston, Wyo., to visit his sister. He will remain until after Christmas.

Conductor S. L. Miller is in Excelsior Springs drinking the waters there, in hopes of helping his rheumatism.

S. G. Sjoblom of Gregory, having been out on a land deal for a few days was in Norfolk, Wednesday and Thursday.

W. H. Blakeman left last night for a trip through the Black Hills country. He expects to be gone several days.

Mrs. L. S. Shele of Brockburg accompanied her niece to her home in Iowa Thursday to visit during the holidays.

Clarence Moss returned Thursday from Atkinson where he has been to see his parents, to resume work as postal clerk.

James Reynolds of Ainsworth, with his family, was in the city awhile yesterday. They will visit at Wagner, South Dakota.

Miss Tena Bowers, bookkeeper for the Rosebud Lumber company at Gregory, started to Sutton Thursday to remain over Christmas.

W. M. Breckbill, messenger for the American Express company between Norfolk and Chadron, has moved to Norfolk from Long Pine.

Miss Anna Craig, traveling chief operator for the telephone company, who has been in Norfolk for the past few days, left yesterday for Wayne.

M. T. Post an attorney of Monow, returned yesterday from Omaha, where he had been looking after Indian affairs in the United States court.

Judge McCutchan, attorney-elect of Boyd county, went to Lincoln Thursday to consult Attorney General Norris Brown before his term of office begins.

J. K. Brown of Creighton had cattle on the market at South Omaha yesterday. He says the market is good just now, but thinks a heavy run is in sight, that will break down the price.

State Veterinarian C. A. McKim was in Norfolk Wednesday to meet his assistant, J. E. Antrim, who has been examining horses for G. W. Bell, John Van Horn and J. W. Howell at Bristol.

The Northwestern territory west of the Missouri river has heretofore constituted one division, composed of three districts, the South Platte, the Eastern and the Black Hills districts, but will now be known as two divisions, the Eastern and the Black Hills divisions.

Julius Salzwedel and family are having their share of sickness. Mr. Salzwedel and the two girls are just able to be around after a sick spell, and now Mrs. Salzwedel is down sick.

Engineer Murry Tyler of Chadron took dinner with his aunt, Mrs. W. M.

Beck, yesterday and went through to Battle Creek, where he intended to stop off and visit with John Lund before returning home.

W. Right, the night dispatcher of Battle Creek, and his family have moved here and is now working in the supply yards under Mat Shaffer, jr.

Pat Crotty is having his cellar remodeled a little and some other repairs made on the house.

Miss Bertha Brown is in Albion visiting with friends.

Mrs. E. W. Apfel went to Pierce today to have her eyes treated.

Coony Campman is under the weather a little this week.

Harry Clay of Long Pine is visiting with W. M. Beck and is having some dental work done.

Rome Miller has a gang of carpenters at work this week making some improvements on his dairy barn, putting in air boxes that the cattle may have plenty of fresh air while being housed up during the winter.

Ivan Williams, assistant road foreman of engines, from Missouri Valley, was looking after the company's interests here yesterday.

Fireman Watson is spending a few days in Omaha this week.

Luther Alexander of Oakdale is here visiting with his brother, Harry Alexander.

The band boys will give their second dance on next Tuesday evening, in Marquardt hall.

The soggy weather continued in Norfolk, a light rain having fallen in the night.

The "Old Arkansas" theatrical company arrived in the city to play at the Auditorium Thursday night.

Mrs. George D. Butterfield has issued invitations for a luncheon to be given at 1 o'clock on Saturday of this week.

The new addition to the switchboard has been installed in the telephone office and numbers above 400 are being put in.

Rev. J. C. S. Wells has issued invitations to a few men for this evening at the rectory, to meet informally Rev. Dr. Westcott.

Advices from the Bonesteel branch are that cornhuskers receive five and in some cases six cents per bushel for their work.

Deputy United States Marshall Sides included in his itinerary for Wednesday and Thursday Loup City, St. Paul, Columbus, Norfolk, Meadow Grove and Butte.

Frank Morse of the Naper Enterprise was in Norfolk Thursday morning. He was in company with Joseph Leatherman who is going to Phoenix, Arizona, for his health. Both these gentlemen were on the ground ten years before Boyd county was organized.

The Sugar City Cereal mills have enlarged their office rooms and have made several improvements which make the work in the office more convenient.

General Superintendent C. C. Hughes of the Nebraska & Wyoming division of the Northwestern, will be away on his vacation for another month. He is enjoying his rest in the south.

Mrs. L. R. Pritchard of Meadow Grove and Mrs. E. O. Bartlett of St. Paul, Nebraska, separated at Norfolk for long trips Thursday morning, the one for Minneapolis, and the other for Los Angeles.

The household goods of Assistant General Superintendent Braden of the Northwestern have arrived from Chicago and will be moved into the house on the corner of Tenth street and Pasewalk avenue, soon. Mrs. Braden has not yet arrived, and is now visiting with friends in Chicago.

Letter List.

List of letters remaining uncalled for at the postoffice at Norfolk, Neb., December 11, 1906:

Mr. Robert Byrnes, Mr. Earl Bone, Mrs. Nelson Best, Mr. Louis Caboto, Cottage Home Hotel, Miss Laura Chambill, Mrs. Florence Davis, Earl Hamilton (2), Dr. J. J. Harrison, Miss Myrtle Johnson, H. B. Lewis, Mr. R. E. MacMartin, Mr. E. H. Miller, Mrs. Elizabeth Nichols, Mr. W. J. O'Neill (3), Miss Hattie Preuss, Mr. Thomas Smith.

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.

Sue for Check Payment.

Madison, Neb., Dec. 12.—Special to The News: The case in which Dr. Frink of Newman Grove is sued by the Bank of Canada for payment of a check, given by Dr. Frink to a real estate man named Davis as compensation for land which Frink later determined not to accept, followed the Dietz case on the docket. Frink telegraphed the bank that he would repudiate his contract and not pay the check. Davis had given the check to the Bank of Canada in settlement for a debt owed to the bank by him. The bank now sues for payment. Judge Boyd took this case away from the jury and has the matter of the decision under advisement.

DR. NICHOLSON TO BE WITNESS

Former Assistant Superintendent of Hospital Arrives.

Dr. Nicholson, formerly assistant superintendent at the Norfolk hospital for the insane, but now of Lincoln, has arrived in the city on his way to Madison, where he will be called as a witness in the cases against four former attendants, charged with assault with intent to do great bodily injury. Dr. Alden, who was superintendent, will not be present to testify, as he is spending the winter in southern California.

BETTER POSTAL SERVICE

THIS, MORE THAN DEFICIT, CONCERNS CORTELYOU.

WANTS INCREASED SALARIES

Regarding Proposition of Chicago Man to Operate Postal Business, Postmaster General Says Efficiency, Not Money-Making, is the Ideal.

Washington, Dec. 12.—Against a deficit of \$14,572,584.13 in 1905, the annual report of Postmaster General George B. Cortelyou shows a decrease to \$10,516,995.94 in the fiscal year just closed. Receipts of \$152,826,585.10 for 1905 are eclipsed by Mr. Cortelyou's figures of \$167,932,782.95.

With the project of a Chicago man to give the postal business of the United States into the hands of a private corporation, and thus escape the annual deficit, before him, Mr. Cortelyou says:

"I repeat what I said a year ago; that while it would be a gratifying circumstance if the postoffice department were self-sustaining, I am less concerned about the deficit than the efficiency of administration. By a proper system of accounting, the department can be placed upon a better business footing and incidentally credited with work for which it now receives no credit. And as a result of these and other needed changes the deficit, which is, in fact, only a paper deficit, can be altogether eliminated. Progress toward these improvements will open the way for investigations to determine the feasibility of the adoption of many important policies of administration—reduction of postage, both domestic and international, postal savings banks, parcels post, postal telegraph and telephone, and others—the merits and defects of all of which should have in the not distant future the fullest consideration."

Urges Salary Increases.

Of chief interest among the recommendations of Mr. Cortelyou is his plea for increased salaries in the postal service.

Good men are leaving the service, he says, because the rate of pay is far below that given employees of the same relative worth in private service. Then, he adds, the salaries paid are too small to induce an influx of competent men sufficient to meet the demand. Postoffice clerks, railway-mail clerks, city and rural carriers and fourth-class postmasters are included in the plea for increased salaries, with the increase in the cost of living, the good of the service and the increases granted employees of railroads and other large corporations as arguments.

In behalf of the railway-mail clerks, further recommendations of relief measures are made. Commenting on the dangers to which these men are subjected, he suggests that the government continue clerks disabled in the performance of their duty, on the rolls at a proportion of the salary they were receiving at the date of injury, not exceeding 50 per cent, this to be supplemental to the relief measures already provided.

Asks a Deputy.

The creation of the office of deputy postmaster general, to be the ranking officer of the assistants of the postmaster general, is recommended.

Need of agents to study the postal systems of other nations is emphasized.

Mr. Cortelyou reports that 27,794 women are employed in the postal service. He says nothing of their value. Of this number, 253 are employed as rural carriers.

The work of the postmaster at San Francisco in the trying days after the earthquake and fire and his employes is praised.

Attempts to use the mails to defraud were severely dealt with during the year just closed. Fraud orders numbering 630 were issued, which eclipses the figure of the previous year by seventy-one. Schemes of almost every conceivable variety were nipped.

Burglaries on Increase.

The number of burglaries of post-offices during the year was 1,802—a notable increase over the previous year, when the figure was 1,581. In this matter the postmaster general deplores the weak federal laws, saying that oftentimes the robbers arrested are turned over to the state courts, as the sentences usually are more severe.

Declaring that the commission appointed by congress to investigate the charges of the railroads for carrying mail did not delve deep enough into the matter, Mr. Cortelyou ventures the statement that "while my impression is very strong that we pay a great deal too much for transportation, I should not be warranted in making a recommendation based merely on such an impression. If the government is paying too much for the carriage of the mails, that fact should be determined."

The government's ownership of the pneumatic tube systems used in the mail service is recommended.

Aids Postcard Craze.

Urgent need of the improvement of the foreign mail service is emphasized.

"The unprecedented expansion of trade and foreign commerce justifies prompt consideration of an adequate foreign service," Mr. Cortelyou says. Expenditures to this end seem fully warranted, also from the standpoint of a proper naval establishment, inasmuch as the vessels performing service are so built as to be readily converted into auxiliary cruisers. Favorable legislation on this subject is urgently needed.

Illustrated postcards yield perhaps

Calumet Baking Powder

Perfect in quality. Moderate in price.

a greater proportion of revenue than any class of mail matter, says Mr. Cortelyou, and an important recommendation on behalf of the collectors is made, as follows:

In order to gratify a widespread demand on the part of the general public for permission to send a written message on a portion of the address side, so as to keep the illustrated side of the card free from disfigurement, and following the action of the principal countries of Europe, I have ordered that from October 31, 1906, post cards bearing written messages upon the left half of the front of the cards, and otherwise conforming to the provisions of the postal convention recently concluded in Rome, mailed in foreign countries and fully prepaid by postage stamps, shall be delivered to addressees in the United States without additional charge for postage, and that on and after March 1, 1907, such cards shall be admitted both to the international and to the domestic mails of this country and treated as post-cards.

The postmaster general approves the demand for a postal note.

Need of reforms in the rules governing second-class matter is indicated, the recommendation of the commission investigating this question being called to the attention of congress.

Mr. Cortelyou united with the secretary of agriculture in asking an adequate appropriation for good roads.

RIVALS CRIMES OF HOCH.

Poisoning of Deceived Girl, Latest Development.

Chicago, Dec. 12.—An unknown girl has entered into the Vrzal poisoning case, opening up a line of inquiry into Herman Billek's career that led the police back five years, and may unveil a series of deaths similar to that which followed in the train of the arch wife murderer, Johann Hoch. Billek is held charged with complicity in poisoning the Vrzal family.

Lieutenant O'Brien has received information that five years ago Billek was present at the death of a young Bohemian girl whom he had induced to believe that he would marry, despite the fact that he had a wife and children.

This girl, according to the police informant, had money, and the relations between her and Billek had progressed to such a stage that they went to a store in South Halsted street to pick out the furniture for the home they were to establish.

Fell Dead in Store

While looking over furniture, the girl dropped dead. Her death was laid to heart trouble and stomach disorders, but the symptoms, as far as the police have learned, were identical with those displayed by the six members of the Vrzal family, who have died since Billek became the "family friend."

These further facts in connection with the Vrzal family have been pried out of the various witnesses.

Billek at one time worked in a chemical shop in Cleveland, and was acquainted with the uses and natures of poisons.

Gave Pills to Vrzals.

He gave pills to other members of the family who died, besides the father, Martin Vrzal and the girl Mary.

He was alone with Mrs. Vrzal for twenty minutes the day she drank the potion that ended her life, and when he came to the house the second day he immediately asked for "the bottle."

On two different occasions Ella and Bertha Vrzal, the youngest two children, barely escaped death from asphyxiation by gas under circumstances which now point to an attempt at murder.

"That Billek used hypnotism is more than probable," said Assistant Chief Schuetzler. "He is a criminal by his own admission and admits only such things as we can prove. The whole case now rests on the examination of the bodies."

WORKMEN ELECT OFFICERS.

Ancient Order of United Workmen Hold Social Session Afterward.

The Ancient Order of United Workmen elected officers last night for the ensuing year, as follows: E. E. Fairbanks, re-elected master workman; L. M. Osgan, re-elected foreman; John Koerber, re-elected financier; M. Moolick, recorder; John Quirk, receiver; William Bland, overseer; J. Adams, guide; Dr. Salter, Dr. Holden and Dr. Hagey, re-elected medical examiners. The election of a trustee was postponed until the next meeting.

After the lodge meeting, the members adjourned to the Zirfas restaurant and enjoyed oyster stew and cigars. The social session was much enjoyed.

Engineers Accept Scale.

New Haven, Conn., Dec. 11.—Announcement is made that the long standing trouble between the New York, New Haven and Hartford railroad and its engineers over the question of wages is at an end, the engineers having agreed to accept the scale of wages submitted by the company.

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