

# BELIEVES HER INNOCENT

**NORFOLK NIECE HOPES FOR MRS. LILLIE'S PARDON.**

**IN HOUSE WHEN HE WAS KILLED**

**Miss May Lillie, Who Has Come to Norfolk to Make This Her Home, Firmly Believes in the Innocence of the Convicted Woman.**

Miss May Lillie of Norfolk, a telephone operator in the central office of the Nebraska Telephone exchange here, who recently arrived from David City to make this once more her home, does not believe that her aunt, Mrs. Lena Lillie, was guilty of the murder of her husband, Harvey Lillie, and hopes that the effort which is once more being put forth in behalf of the prisoner to release her from the life sentence, may be successful.

Miss Lillie was in the house at David City at the time her uncle, Harvey Lillie, was killed. She heard the shots and, while she did not hear anybody in the house or leave it, yet she firmly believes that her aunt is innocent of the crime for which she was convicted.

"There never had been any trouble in the family and I know of no motive that could have caused the crime," said Miss Lillie to The News.

Miss Lillie formerly lived in Norfolk with her parents, Mr. and Mrs. W. W. Lillie, both of whom are now deceased. Mr. Lillie was formerly a very prominent and very popular commercial traveler in this territory. Miss Lillie later went to David City to live with her aunt and uncle, Mr. and Mrs. Harvey Lillie, and now she has come to Norfolk to make her home.

**NOT MUCH HOPE FOR PARDON.**

**David City People Think Governor Will Rebuff Petition.**

David City, Neb., Dec. 24.—The reports in the daily press, together with a notice in one of the local papers, that Lena Margaret Lillie has made application to Governor Mickey for a pardon of the crime of murdering her husband, Harvey Lillie, for which she is now serving a life sentence in the Nebraska penitentiary, has revived the discussion of this case on the streets and at the firesides of the citizens of David City and Butler county.

The excitement which prevailed on the streets and all over the county on the morning of October 24, 1902, is vividly recalled to the memory of all the residents of the city, when the news spread like wildfire that one of David City's prominent, influential and highly respected citizens, Harvey Lillie, had been fatally shot by a bold burglar at an early hour that morning while peacefully sleeping in his home.

**Excitement Ran High.** At that time excitement ran high, telegraph and telephone wires were used freely spreading the news of the dastardly crime, and asking that all suspicious looking characters be apprehended and required to account for their whereabouts at the time the fatal shot was fired. Bloodhounds were brought out and every part of David City carefully searched. By noon an immense crowd of people were on the streets discussing the murder and had any person been seen who looked suspicious or who was unable to give an account of himself, he would certainly have met a warm reception, so intense was the feeling and excitement.

Many theories were advanced as to who the criminal or criminals might be. Some of them seemed plausible. A few citizens suspected that Harvey Lillie had been murdered by the one who had promised at the sacred marriage altar to love, cherish and honor him so long as they both should live; that Lena Margaret Lillie had committed the cold-blooded crime of taking the life of her husband.

The large majority scoffed at this, however, and would not listen to it, as it was the prevailing opinion that Mr. and Mrs. Lillie were very affectionate and their home an ideal, happy one. The county and city officers, assisted by detectives, worked on the case until December 23, 1902, when County Attorney Walling filed a complaint in the county court charging Lena Margaret Lillie with murdering her husband. She was arrested that evening, gave bond for her appearance and went to Bellwood, where she spent the holidays with her parents. At the preliminary hearing she was held to the district court under a bond of \$10,000, which she furnished, her father, J. S. Hill and L. Henning of Bellwood, being her sureties.

**Thought Mrs. Lillie Innocent.** At this time most of the townspeople believed Mrs. Lillie innocent of the crime with which she was charged. Large crowds attended the preliminary hearing and the trial in the district court, and after hearing the evidence many of those who at first could not believe it possible that she had committed the awful crime, were convinced that they had been mistaken. Others, however, still maintained that she was not guilty. At the time of her arrest County Attorney Walling was severely censured for filing the complaint.

The trial in the district court lasted about two weeks, Judge Good of Wahoo, regarded as one of the best jurists on the bench in this state, presiding. A jury composed of the most intelligent, careful and conservative men that ever occupied the jury box in the district court of Butler county, after hearing all of the evidence, brought in a verdict of murder in the first degree and imposed a sentence of life

imprisonment in the Nebraska penitentiary. A motion for a new trial was filed asking for a new trial, among the many reasons assigned being the contention that a revolver of the same caliber with which Lillie was shot, had been found in an old well near the Lillie home. The state rebutted this supposed newly discovered evidence, by showing that the revolver was, without doubt, the property of Harvey Lillie.

**New Trial Refused.** The motion was argued by the attorneys and after considering it for three or four weeks, Judge Good overruled it and pronounced sentence, committing Mrs. Lillie to the penitentiary for life. The case was appealed to the supreme court and after considering it for about fifteen months, the court affirmed the judgment of the lower court. A motion for a re-hearing was granted by the supreme court, but upon the rehearing the former opinion was adhered to. Soon after this Mrs. Lillie was taken to the penitentiary where she has been since.

Petitions to the governor for the pardon of Mrs. Lillie are being circulated throughout Butler county and, it is reported, have been numerously signed. Some, however, refuse to sign the remonstrances, giving as a reason that they believe Mrs. Lillie had a fair and impartial trial before a judge of more than ordinary ability as a jurist, the jury composed of the best citizens of Butler county, the trial judge having overruled the motion for a new trial. The supreme court having affirmed the verdict of the jury and judgment of the trial court, they do not believe that Governor Mickey will override and ignore all the history of the case and grant the pardon asked for. The two Methodist preachers who, it seems, are taking the lead in asking for the pardon, are being censured severely by many of our citizens for their action as it is claimed neither of them heard one syllable of the evidence and are therefore wholly incompetent to pass on the question of the guilt or innocence of Mrs. Lillie. The Journal correspondent has made a special effort to learn the feeling and sentiment of the citizens of David City and Butler county and finds the sentiment almost universally as above stated.

**Look for No Pardon.** Many citizens freely say that at the time this crime was committed they did not believe Mrs. Lillie guilty and severely criticised the officers who were responsible for her arrest. They do not say at this time that she is guilty, but after hearing the testimony and believing the jury, after having heard the testimony, returned a verdict of guilty, Judge Good overruling the motion for a new trial, and this verdict and judgment having been affirmed and sustained by the supreme court, that the sentence should not be interfered with and they believe Governor Mickey will carefully examine all of the evidence in the case and they say when he does this he can not grant the pardon asked for.

At the last meeting of the county board of supervisors L. S. Hastings was employed to assist the county attorney in resisting the pardon. Mr. Hastings assisted County Attorney Evans in the prosecution of the case in the district court.

# THROAT CUT WITH RAZOR

**PATIENT AT HOSPITAL ENDS LIFE CHRISTMAS EVE.**

**FRANK SWOBODA OF ST. PAUL**

**Picked Lock of One Door and Burst in Another—Found Razor With Which He Finished His Career—We Being Treated for Acute Melancholia.**

Frank Swoboda, from near St. Paul, Howard county, a patient in the Norfolk Hospital for Insane, committed suicide by cutting his throat with a razor, Monday afternoon. While the attendant on the ward in which he was located was attending to other duties, Swoboda succeeded in picking the lock to the door and then burst in the door of the clothes closet, breaking off a solid iron bolt in so doing, and there caught up a razor and gave himself a terrible slash across the throat. He had not been away from the ward more than five minutes when he was found by the attendant, but even then life was practically extinct.

Swoboda had been an inmate of the hospital about two months, being treated for acute melancholia. When he first came to the institution he was given constant personal attention, but for the past month he had become apparently so rational that Superintendent Young wrote his relatives a week ago that he considered him sufficiently recovered to take home. Under the circumstances the sudden return of his malady was a great surprise to hospital officials. Coroner Kindred was notified at once of the suicide and Tuesday morning he visited the hospital and heard the evidence in the case. He decided that it was unnecessary to call a jury, as he found that no blame could be attached to either officers or attendants.

While this suicide occurred the afternoon before Christmas, the fact was kept from the knowledge of other patients at the hospital, the officers fearing that it would have a depressing effect upon them and make a gloomy instead of joyous Christmas for the unfortunates there under treatment.

**WEDNESDAY WRINKLES.**

Kenneth Tompson of West Point visited his friend Fred Koester yesterday. Chas. Tindal of Plainview visited friends in the city Wednesday morning. Miss Minnie Moss spent Christmas with her sister, Mrs. Fred Jenal in Bloomfield.

Fred Koester went to Battle Creek last night to visit his father. He returned at noon. Brete McCullough went to Omaha on the early train yesterday to spend a few days with his parents. Art Dingman of Missouri Valley is spending part of the holidays in Norfolk with his brothers and sister.

Walter Compton of Pilger spent Christmas with friends in the city, returning to Pilger Wednesday morning. Mrs. D. W. Darlington came down from Long Pine Sunday to spend the holidays with her sons, Will and Chase.

Miss Mary Covert came up from Bellevue last evening to visit a week with her parents, Mr. and Mrs. J. M. Covert. Mrs. Edward Krisel, who spent Christmas with her sister, Mrs. R. E. Bryant, left Wednesday for her home in Omaha.

Leonard Hauglund of Lincoln arrived in the city last night to spend his vacation with Bartie Elseffer and Harold Gow. There was a family gathering at the home of Judge and Mrs. Powers for Christmas, the visitors from out of town being Frank Powers and wife of Omaha, Isaac Powers, Jr., of Jacksonville, Ill., Mrs. H. L. Whitney and daughter Bernice of Omaha.

Mrs. Robert Craft and two children went to Pierce to spend the holidays. Mr. and Mrs. J. S. McDonald are here from Missouri Valley, visiting with their daughter, Mrs. John Reedy. Mrs. J. Duell returned home from Stuart, where she had been visiting. Mr. and Mrs. Obers of Niobrara stopped off a day with William Beck on their way to Ainsworth.

Len Case and sister Elsie returned home from Eagle Grove, Iowa, where they had been visiting about a week with their grandparents. Berl Martin, from Bonesteel, stopped off a day with Mr. Stansberry on his way to O'Neill, where he spent Christmas with his parents.

Lee Jones, who has been working at Council Bluffs, is here visiting with Mr. and Mrs. Harvey Alexander. Charley Dean of Neligh is here visiting with his sister, Mrs. W. M. Beck, and is also looking for a residence to buy. Roy Satterlee, who has been at Stuart working, is at home on a visit. Harry Briggs left for Bonesteel yesterday where he will work for some time.

Hamp Nelson's parents, of Spencer, Neb., are here spending the holidays with him. Jake Christensen has gone to Sioux City, where he spent Christmas with friends. Mr. and Mrs. John Hinze are in Omaha visiting relatives. George W. Livingston, one of the machinists in the shops, got back yesterday from Boxelder, S. D., where he had been visiting his family and is now setting up the cigars on account of a bran new boy at home.

Miss Clausen of Spencer stopped over a day with Nellie Nelson while on her way to Tilden. The North Nebraska Dental association will hold its annual meeting in this city January 3.

The Trinity Social guild announce a dancing party for next Friday evening at Marquardt hall. Mrs. Rudat entertained at family dinner Christmas. Among the guests were visitors from West Point and the family of Mrs. Asmus of Norfolk. Father Walsh conducted two Christmas services, one in Battle Creek in the morning and one later in the day in the Church of the Sacred Heart, Norfolk.

Officers of the general superintendent and assistant general superintendent of the Northwestern were rather deserted on Christmas. General Superintendent C. C. Hughes is still absent. Assistant General Superintendent Braden was in Chicago. Private Secretary and Mrs. H. L. Snyder were in Ohio and Miss Stafford, stenographer, was in Scribner visiting her parents. J. B. Elseffer, agent at the union depot here for the Union Pacific and Chicago, St. Paul, Minneapolis & Omaha roads, has been offered the position of station agent for the Union Pacific at Lincoln and has accepted the offer. He does not know when he will leave. His son, Bartie Elseffer, will attend the state university in Lincoln. Mr. Elseffer has made his home here for a number of years, having come from Wakefield, and he has a large number of friends who will sincerely regret his departure to Lincoln but who will be delighted with his promotion to a better position.

"Norfolk would have had greater crowds of Christmas shoppers if more Christmas advertising had been done," said a prominent leader in local affairs. "It is a duty which merchants owe to the public to let them know what there is here for sale. Going into Omaha one could take an Omaha paper, look it over and select from its advertisements all of the gifts which he desired to buy. The descriptions were given completely and the prices, so that the shopper was very much aided. While that was done to some extent in Norfolk, it was not done anywhere nearly enough. The crowds could have been multiplied many times if such suggestions had been printed before Christmas and many who went to Omaha would have stopped in Norfolk. The public has a right to such information."

# WAS A BALMY CHRISTMAS

**THERMOMETER GOT AS HIGH AS 48 IN NORFOLK.**

**ALL STOCKINGS BULGED FULL**

**Christmas Dinners Were Featured With Family Reunions—Railway Trainmen Had a Large Crowd and a Successful Ball.**

South California, with its oranges turning ripe and its bathing in the Pacific's blue waves, never saw in all its life a more balmy or a more perfectly delightful Christmas day than Christmas of 1906 in Norfolk and the new northwest. Almost like a May day or a Fourth of July, it afforded a bracing atmosphere that was hard to beat and instead of sleighbells and snowflakes, the holiday was featured with summer afternoon strolls and un-cloaked humans out in the open to enjoy the day's sun bath. The temperature averaged 37, never got below 26 and went as high as 48.

It was a magnificent Christmas day in more ways than one. Santa Claus cleaned out the great stocks of toys that north Nebraska merchants had on hand, and children were consequently overjoyed when Christmas morning dawned.

Norfolk's stocking bulged with the good things that had been bought for it out of the farm prosperity that has visited this section during the past season, and records were broken in many spots. This week the doctors will get in with their records.

Christmas tree services were held in many churches of the city and surrounding territory on Christmas eve, followed by much Christmas tree joyousness on the morning after in hundreds of homes. Christmas dinners were tremendous affairs in which family reunions were the feature.

Railway trainmen enjoyed a good bit of a holiday and celebrated at night with their annual ball in Marquardt hall. The hall had been tastefully decorated in the red and green signal lanterns of railroaders, and afforded a pretty scene to look in upon. The function was attended by a very large number of Norfolk people, who danced until a late hour. The music was excellent and the entire affair, as always is the case, was a splendid success from start to finish.

The railway boys expressed the view that this was by far the most successful annual ball ever given. This was the nineteenth of these annual events. The Scribner orchestra, who made music, were strangers in Norfolk but they made decidedly good music and all were pleased with them. A banquet at the Pacific hotel was a feature of the evening and was partaken of by 100 couples. A special train made four or five trips from the Junction to carry the dancers back and forth. The music stopped at 3:30 a. m. The Brotherhood of Railway Trainmen feel grateful to the public for its generous patronage and, as one put it, "wish everybody a Happy New Year."

There were people in Norfolk who spent a quiet day. Bachelors and men without families, who board at restaurants and hotels, and who had no homes to go to for the holiday, ate Christmas dinners alone and some of them spent rather a gloomy day of it, by reason of the contrast between other people's celebrations and their own.

**FUNERAL OF ANDREW TEAL.** Held Under Auspices of Brotherhood of Locomotive Engineers. The funeral of Andrew Teal was held at the Baptist church Sunday afternoon at 2 o'clock, conducted by Rev. John L. Stine. The remains were followed to their last resting place in Prospect Hill cemetery by a large number of friends. The services were conducted under the auspices of the Brotherhood of Locomotive Engineers, of which the deceased was an honored member.

**Card of Thanks.** To the friends and neighbors who have been so kind to us during our hour of affliction, we owe a debt of gratitude. Particularly are we under obligations to the Brotherhood of Locomotive Engineers, who have proven themselves brothers indeed during the past few trying days. The floral offerings of the Woman's Relief corps and the Brotherhood of Locomotive Engineers were beautiful and appreciated.

Mrs. A. Teal. Mrs. Miller Mather. **Christmas at Fairfax.** Fairfax, S. D., Dec. 26.—Special to The News: Christmas day in Fairfax was observed by the Catholics with a nice Christmas program at 11 a. m. A trained choir gave some special music, which was very fine. The Methodist, Congregational, German, Baptist and German Congregational each had Christmas exercises and a tree in their churches Christmas evening. A nice dance was held Christmas night in the opera house.

**WATER USED AT FIRE.** Commissioner Brummond Estimates Quantity at Over 23,000 Barrels. Water Commissioner Brummond has been doing a little figuring and he finds that the statement made by The News concerning the quantity of water used at the Edwards & Bradford fire, did not put the figures high enough. As officially reported to the water commissioner, there were five streams of water on the fire for a period of three hours, four streams for

four hours, three streams for seven hours, two for ten hours and one for six hours, making an equivalent of one continuous stream from a one-inch nozzle for seventy-eight hours. Estimating the discharge of water from a one-inch nozzle at 9,516 gallons per hour, the fire took 742,248 gallons of water, or 23,195 barrels. At the customer's price of 15 cents per thousand gallons, the quantity of water used would have brought the city \$111.35 if it had been taken out through the usual channels.

**MEMORY FADED AWAY.** Joseph Chamberlain, English Statesman, Has Mind of Mere Infant. London, Dec. 26.—The long retirement of Joseph Chamberlain, owing to gout and other ailments, has led to constant assertions and contradictions regarding the gravity of his condition. The Chronicle states that he greatly overtaxed his strength at the celebrations in honor of his 70th birthday at Birmingham, with the result that he lost his memory completely. The past became a blank to him and he could not remember what had taken place, even a few hours before, and, although his other faculties were and are uninjured, his memory is gone.

**SHOWS SIGNS OF INSANITY.** SWEDISH WHO WAS FOUND WITH THROAT CUT ON ROSEBUD. IS NOW IN JAIL AT FAIRFAX. Railroad Laborer Who Claimed to Have Been Assaulted, But Whose Mates Claimed He Tried Suicide, Has Violent Spells at Times. Fairfax, S. D., Dec. 26.—Special to The News: The Swede who was found near Herrick some time ago with his throat cut, has been brought to Fairfax and placed in the county jail and is now under the care of a doctor. He has spells of insanity and at times is pretty bad, but he seems to be improving a little every day. This is the man who was working on the Bonesteel extension and who claimed he had been assaulted but whose comrades believe he tried to suicide.

**Ainsworth Hotel Change.** Ainsworth, Neb., Dec. 26.—Special to The News: The Ainsworth hotel has changed hands again. J. M. Hoke, a farmer, had been renting it for three months but has left for his farm. A. J. Warrick, the proprietor, has resumed management. On Friday Mr. and Mrs. Warrick will celebrate their golden wedding. **Wedding at Fairfax.** Fairfax, S. D., Dec. 26.—Special to The News: John Winter and Miss Nina Scott of Gregory were married by Justice Kortright Christmas evening in the office of the clerk of the courts.

**SHINNEY ON CHRISTMAS.** Game Between Two Local Teams at Neligh. Neligh, Neb., Dec. 26.—Special to The News: The main attraction Christmas afternoon was the shinney game between the east and west end, the dividing line being Main street. The west enders have had the long end of each game for years, but yesterday the tables were turned. Final score: east end 5; west end, 2. The only serious mishap of the game was when Tom Davis, member of the firm of Cole & Davis, received a blow with a shinney club on the right side of his nose, making a cut two inches long. Mr. Davis says it was an accident; that he ran into the club as his skate came off. It is nothing more than a bad cut and bruise.

**LIGHT PLANT DESTROYED.** NEW ELECTRIC PLANT AT LINDSAY IS CONSUMED. IN OPERATION ONLY FEW DAYS. Early Sunday Morning the Building Was Discovered on Fire, and as the Town Has no Water System Little Could be Done to Save it. Newman Grove, Neb., Dec. 24.—Special to The News: The electric light plant at Lindsay was burned early yesterday morning. The origin of the fire is unknown and the loss is not given. Lindsay is about six miles east of Newman Grove. The burned plant had just been completed and the lights turned on for the first time last Tuesday. Lindsay has no fire protection so that all that could be done was to fight the flames with a bucket brigade, which proved ineffective, and the building was totally destroyed and much of the machinery damaged. The plant will be rebuilt at once.

**STRUCK WITH A CLUB.** Pierce Boy Gets the Worst of a Shinney Game. Pierce, Neb., Dec. 22.—Special to The News: While playing shinney on the mill pond last evening, Benj. Lindsay, Jr., was accidentally struck over the eye with a shinney club, bruising the bones near the frontal sinus, causing some shock and considerable hemorrhage through the nose.

# REPRESENTATIVE CONTEST

**TAKING TESTIMONY IN THE CASE AT BASSETT.**

**WM. CORYELL VS. J. J. CARLIN**

**Hearing is Being Held Before Hon. L. K. Alder of Valentine and Hon. F. N. Morgan of Bassett—Finish After Christmas.**

Bassett, Neb., Dec. 21.—Special to The News: The taking of depositions in the legislative contest of Wm. Coryell against J. J. Carlin, incumbent from the Fifty-first representative district, was resumed yesterday at Bassett, before Hon. L. K. Alder of Ainsworth and Hon. F. N. Morgan of this place. The witnesses examined were called by the contestants and it will take all day to finish with their testimony. While contestant withdraws all of his allegations of fraud, the examination of his witnesses developed many mistakes in the count in Brown county. Mr. A. W. Scattergood, attorney for contestant, stated to your correspondent that "it is too early to prophesy accurately the results, but now claims enough mistakes in the count to change the results and to seat Mr. Coryell."

It appears that in Brown county the people's independent legislative delegation failed to endorse Carlin, the democratic candidate, or at least did not so certify to the county clerk, so Mr. Carlin's name appeared on the ticket as the democratic candidate only. Yet it is claimed by contestants' witnesses that when they found a straight people's independent ticket they counted it for Carlin, by mistake, not thinking but that he was endorsed as were all other democratic candidates. Again in Rock county, the ticket showed Mr. Carlin as the nominee of both democratic and people's independent conventions. While contestant claims that the people's independent never filed with the county clerk any certificate of nomination, but that the deputy county clerk, J. R. Arter, having heard that the endorsement had been made, placed Carlin on the ticket as such fusion nominee. Testimony will be resumed today and then adjourn to the 26th, when Mr. Carlin will make his showing.

It would appear that a recount will result in Coryell's being seated, as Carlin only had seventeen majority, and if the independent vote is not to be counted for him in Brown county, it surely means his defeat.

A man engaged in a lawsuit, called on his lawyer for encouragement. The lawyer showed him a big stack of law books. "In every one of these books," the lawyer said, "there are authorities showing that your contention is right. No doubt about the clearness or aptness of the decisions in your favor." When the trial came on the lawyer on the other side had an equally large stack of law books. "I shall read a large number of decisions," said the opposition lawyer, "to show that my client is right. No doubt as to the clearness or aptness of the decisions in favor of my client," and there you are again.

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