

# THE NORFOLK WEEKLY NEWS-JOURNAL.

NORFOLK, NEBRASKA, FRIDAY, MAY 3, 1907.

## SHERIFF FIRES 4 SHOTS AT BOCHE

FUGITIVE FOUND, MAKES DRAMATIC ESCAPE.

HE VENTURED TO RETURN HOME

OFFICERS WAITING, HE WALKS ALMOST INTO THEM.

THEN DARTED INTO DARKNESS

CLEMENTS PURSUING, SHOTS TO BRING DOWN MAN.

BUT IS HALTED BY WIRE FENCE

BOCHE DUCKED UNDER AND DISAPPEARED INTO WOODS.

HE GROANED AT FIRST SHOT

Sheriff and Deputy Concealed Themselves in Boche Home—Dog's Bark Gave Signal—Sheriff Was Within Twelve Feet of Boche.

Men slain by Herman Boche: George Ives, killed with an axe, April 23, 1889. Frank Jarmer, shot to death, May 1, 1907.

Herman Boche, wanted for murder, was seen by Sheriff Clements at the Boche farm four miles southeast of Norfolk during the night. The officer shot four times at Boche in an effort to halt the fugitive.

Staked Life on Flight.

Hiding from the sight of man during the long hours following the killing of Frank Jarmer on Wednesday morning, Herman Boche took advantage of the midnight darkness to steal up to his own home on the first night after the shooting. At his home he found Sheriff Clements and Deputy Sheriff Elley waiting. Nearly in the midst of the officers the hunted man staked his life on flight and made a wild dash back into the darkness of the night and the woods.

Four Shots; Boche Groaned.

Sheriff Clements fired four shots at close range after the fleeing Boche. After one shot a noise that might have been a groan or a shout came from the fugitive. Boche made good his escape and Sheriff Clements and his deputy drove into Norfolk Thursday morning without the man.

The only definite trace of Boche found by the officers from their departure from Norfolk late Wednesday afternoon to their return Thursday morning was the encounter with the man himself on the Boche farm near midnight.

Officers Hide in Home.

From 8 until after 11 Sheriff J. J. Clements and Deputy Sheriff W. C. Elley waited in the back room of the Boche home for the half expected return of the father of the household. The consent of the wife and the sons to this arrangement was secured. With the house in darkness the officers waited for the coming of the man who had secreted himself in the daylight hours following the fatal shooting.

Dog's Bark Gave Alarm.

It was after 11 o'clock when the bark of the dog put the officers on edge. They prepared themselves to make certain Boche's capture on his entrance through the door. The wife, however, gave way before the strain. Moving about in an adjoining room the woman finally raised a window. When the sheriff stepped into the room, Mrs. Boche said, "I am not feeling well. I must step out."

Came Upon Him in Dark.

Followed by the sheriff the wife left the house and passed around to a barn and machine house. When the two were near the barn the woman called in German. Boche, himself, not twelve feet distant, answered in German. Under the flash light of the sheriff's dark lantern he stood for a second, easily recognized and wearing the same stiff brown hat.

Boche Runs, Sheriff Shooting.

Almost with the flash of the lantern, though, Boche darted away from the sheriff, the officer after him. "Stop," cried the sheriff. "Stop or I'll shoot." Around the barn and thirty feet across the yard to a wooded pasture Boche ran. Four times the sheriff fired at him, shooting to bring the man down. At the pasture fence Boche, familiar with the place, ducked beneath a gate; the sheriff was halted for a moment by the wires.

Makes Good His Escape.

The moon was not yet up. The wooded pasture with the woods of the Elkhorn river nearby let Boche outrun his pursuers and make good his

escape. A careful search by the sheriff and deputy brought no trace of the man. At first they imagined that he had plunged through a layou, but no tracks were found in the morning. Boche got away somewhere in the darkness. Whether he crossed the river the officers could not say. After a second examination Thursday morning, the officers came to Norfolk before further continuing the hunt in the vicinity of the man's home.

Hidden in the Woods.

The Boche farm where Herman Boche has lived with his family for many years past is on the banks of the Elkhorn. Woods surround a nearby slough and line the river bank, a place where fishing and hunting is still good. Somewhere in this stretch of land the hunted man must have spent the hours following the shooting. From there he ventured forth at midnight for a visit at his home.

REWARD OFFERED FOR CAPTURE

Sheriff Issues \$100 Offer—Says Boche is Dangerous.

With no additional trace of Herman Boche, slayer of two men, since he dashed away from the officers Wednesday night, Sheriff Clements in Norfolk Thursday noon issued the following offer of reward for Boche's capture:

"Wanted for murder—Herman Boche, German, 48 years old. Dark complexion. About six feet one inch tall. Large, raw-boned, weight about 210 pounds. Black hair and small black mustache. Was wearing dark suit and brown derby hat which he wears pulled down over ears. Be careful in making arrest as he is armed and is a dangerous character."

"Madison county, \$100 reward for his arrest and conviction. In addition to the above, the governor has been asked to offer a special reward."

"Arrest, hold and wire all information to J. J. Clements, sheriff."

HIS FIRST MURDER TRIAL.

Initial Ballot in That Case Stood Nine to Three for Acquittal.

The first ballot of the jury which tried Herman Boche for killing George Ives eighteen years ago this spring, stood nine for acquittal and three for conviction.

After the first vote, the twelve jurymen discussed the evidence at hand thoroughly and finally it was determined that he had shot in defending his brother. The evidence showed that William Boche and Ives were eloped, Ives holding a gun, and that Herman Boche brought his axe down upon Ives' head to save his brother. Thus did the jury reason and finally Boche, who is now wanted for killing Frank Jarmer, was acquitted.

BOCHE'S FISH DIFFICULTIES.

He Was Arrested For Fishing in His Own Slough Illegally.

Herman Boche, who shot and killed Frank Jarmer and then made good his escape, was arrested and fined a summer or so ago on a charge of illegal fishing.

Boche owns a farm on which there is a slough that teems with fish. He has not only permitted other people to use this slough for fishing purposes, but he has at times taken fish from the waters himself, and sometimes illegally. He has always reasoned that, since the water is on his own land, he had a right to do as he pleased with regard to fishing in it. The courts held that the fish should be protected by state law regardless of whose land the water chanced to be in.

BOCHE'S FATHER DIED RECENTLY

It Was He Who Was Thought to Have Hidden Considerable Gold.

The father of Herman Boche died during the past winter. He was one of the old pioneers in Norfolk, having come to this section in 1868. He was a prosperous German farmer. When he died his family believed that he had left considerable money, perhaps \$2,000, hidden about his home on South First street. For several days a search was kept up by the family, among whom was Herman. If the elder Boche did leave money hidden away, no trace of it was ever found. Some believed that he must have told somebody before he died, where to find the money.

NOTED SCIENTIST IS DEAD

Charles H. Hinton Dies While Leaving Banquet Hall in Washington.

Washington, May 2.—Charles H. Hinton, formerly a professor of mathematics in one of the collegiate institutions of Minneapolis and for the last two years second assistant examiner of the patent office, dropped dead in the lobby of the Young Men's Christian association building, as he was leaving the banquet hall, where the Society of Philanthropic Inquiry had held its annual dinner, at which Professor Hinton had responded to the toast "Female Philosophers." Death was due to cerebral hemorrhage.

Death of Arthur McEwen.

New York, May 1.—Arthur McEwen, chief editorial writer of the New York American and well known throughout the west in journalistic circles, died suddenly at Hamilton, Bermuda. Heart failure was the cause of death, according to a cablegram received in this city.

## STANTON IS IN THE DARK

STREET LIGHTING CONTRACT IS RESCINDED.

NEW MOVE IN LIGHT PROBLEM

With Its Hands Tied by an Injunction Restraining It From Accepting Bids For a New Light Plant, Council Puts City Streets in Dark.

Stanton, Neb., May 2.—Special to The News: Notwithstanding the city council and acting mayor find their hands somewhat restrained by the terms of the injunction which Frank Sanders secured against them in the matter of preventing their acceptance of bids for a new electric light plant, they proceeded to execute a flank move not covered by the injunction.

Heretofore Mr. Sanders has furnished a light for the city streets receiving for his services about \$750 annually. This was put an end to by the council's passing a resolution rescinding any implied contract which might exist and from now on until the settlement of the controversy there will be no more electric lights in the city of Stanton, so far at least as its public streets are concerned. The council also employed Louis Bendit, an electrical engineer, to prepare and furnish proper plans and specifications for a complete electric light system. Messrs. W. P. Cowan and W. W. Young have been employed to represent the city in addition to the city attorney, so the merry war is on in earnest.

TILDEN BEATS MEADOW GROVE

Fast Game of Baseball Was Played at Meadow Grove Wednesday.

Meadow Grove, Neb., May 2.—Special to The News: The Tilden and Meadow Grove baseball teams played a very pretty game here yesterday and with the exception of a few poor plays by the home team it was full of snappy playing by both teams. The score stood 4 to 3 in favor of Tilden. Batteries: Tilden, Redenbaugh and Weygent; Meadow Grove, Storey and Weygent.

SHORT LINE RATES IN NEBRASKA

Railway Commission Grants Permission to Rock Land.

Lincoln, May 2.—Permission was granted by the Nebraska railway commission to the Rock Island to establish short line rates in this state, subject to the usual rule that intermediate points be given the same or better rates. This is the third road to get such a permit, the Northwestern and the Missouri Pacific, having applied previously. Railroad managers conferred with the commissioners regarding the meeting of next Tuesday, at which time the commission will grant a hearing to both roads and shippers, preliminary to adopting a temporary schedule of tariffs for all lines in the state. In the absence of grievances, the present rates will be approved, to remain in force until the commission has had an opportunity to investigate them and make changes where it is deemed advisable.

WORKMAN KILLED IN DITCH.

Scott Miner of Tekamah Killed When Wall Caves Near that Place.

Tekamah, Neb., May 2.—Scott Miner, aged thirty-seven years, who has been employed on the tiling machine putting in drainage ditches north of this place, was killed by being buried in one of the trenches.

Miner was laying tile in the trench, when the bank caved in and was smothered to death before he could be gotten out. The deceased leaves a wife and three children.

Dividend for Fifth Bank Depositors

Lincoln, May 2.—Receiver Whitte more of the failed Citizens' bank of Fifth made a report, announcing that a dividend of 70 per cent to depositors is available. There is cash on hand of \$74,074. The receiver believes an additional 5 per cent dividend will be possible when he is able to realize on the property of W. J. Crandall, the cashier, whose disappearance caused the closing of the bank.

PROTEST AGAINST NEGROES

Southerner Would Have No Colored Men Given Rhodes Scholarships.

New Orleans, May 2.—Gustaf R. Westfield, a prominent business man of New Orleans and a member of the board of administrators of Tulane university, has written a letter to the British ambassador at Washington advising against the appointment of negroes to Cecil Rhodes scholarships at Oxford university.

Mr. Westfield's letter is apropos of the recent appointment of a Pennsylvania negro to one of these scholarships. He believes that the appointment of negroes will make the Rhodes scholarships unpopular in the south.

France Rejects Meat Certificate.

Washington, May 2.—"A very insignificant quantity of American meat is exported to France," said Secretary Wilson of the department of agriculture, commenting on the French rejection of the new form of meat certificate under the United States pure food law.

Shriners on Way West, Chicago, May 2.—A delegation of 200 Mystic Shriners of Chicago, together with 1,000 from Detroit and other eastern cities left here for Los Angeles on the 1907 pilgrimage of the order. The pilgrimage will last three weeks, five days of which will be consumed in convention sessions at Los Angeles.

FORECAST KILLING FROST

THAT IS THE CHICAGO WEATHER MAN'S PREDICTION.

NORFOLK CONDITIONS RIGHT

Barometer is High, Showing That Clear, Cold Air May Be Expected. Temperature Has Been Falling During the Day.

Prepare for a killing frost.

A drop in the temperature severe enough to freeze the life out of growing things is the prediction from the Chicago weather bureau and the freeze may, if the forecast is correct, be expected to arrive before dawn on Friday morning.

The barometer in Norfolk at 8 o'clock Thursday morning was unusually high, 30.04, showing that the air was dry and heavy and that low temperature might be expected.

The coldest point reached during Wednesday night was thirty-two above zero—just the freezing point. The mercury managed to climb up to sixty-eight during Wednesday and thus gave hope that winter's backbone had at last been fractured.

The temperature in Norfolk fell during the day.

ASKS FOR HEAVY DAMAGES

FRUIT TREE AGENT SUES FARMER FOR \$5,000.

AS RESULT OF KNIFE BATTLE

An Argument Over the Contract Resulted in Warm Words and Later a Fistic Fight, With a Knife as One Weapon, Wire Fence the Other.

Stanton, Neb., May 2.—Special to The News: Some time ago C. E. Wright, a fruit tree agent, sold N. M. Lowery a bill of fruit trees and one of the conditions of sale was that Wright was to superintend the planting of the trees. In due time the trees were delivered. Lowery hired four men to put them in the ground and Wright came out to superintend according to contract. After ten trees had been planted Wright remarked that "Lowery could get along all right now and that he was going to leave."

Lowery objected. The argument waxed warm. Wright produced a knife of no mean dimensions. Lowery picked up a wire fence slat. A collision followed and the holder of the knife came out second best.

Yesterday R. B. Drake, an attorney for Humphrey, filed a suit for damage based on assault and battery in which Wright asks for a judgment of \$5,000.

SEAMEN AND POLICE CLASH

HAVANA UNABLE TO LEARN DETAILS OF FIGHT AT SANTIAGO.

CAUSE OF AFFRAY IS IN DOUBT

Officers Said to Have Attacked Sailors From American Warship and Ten Men Were Wounded, One Seriously. Mayor to Investigate.

Havana, May 2.—In the absence of a report from the police of Santiago upon United States sailors the authorities here are unable to throw any light on the cause of the affray. The only report received was from Governor Perez of Oriente, who merely said all was quiet and that the municipal authorities, as a precaution against further disorders, had requested Commander Tappen not to allow his sailors ashore at night.

Governor Magoon told the Associated Press he considered the affair as a mere brawl, incident to pay day. This opinion is shared by General Barry.

Mayor Mesa of Santiago told the Associated Press that a brawl had occurred in a disorderly house, which had resulted in a conflict between police and sailors. He said he could hardly credit the report that the police had wantonly attacked American sailors. The sailors, Mayor Mesa said, usually were well behaved and cordial relations existed between them and the citizens and police. Police Captain Lay, who is alleged to have led the attack on the sailors, the mayor declared, was an officer of long service and excellent character and it was unlikely he would resort to violence except in extreme emergency.

Mayor Mesa returned to Santiago to start an investigation into the affair. He declared should the police be found guilty of attacking the sailors he would inflict summary punishment upon them.

## MINERS ISSUE STATEMENT

CRITICISM FOR PRESIDENT AND GOVERNOR OF COLORADO.

BIG TRIAL ABOUT TO BEGIN

Hotels at Boise Are Filling Up in Anticipation of Steunenberg Assassination Case—Citizens Ridicule Alarmist Reports.

Boise, Ida., May 2.—Clarence Darrow of counsel for Messrs. Haywood, Moyer and Pettibone of the Western Federation of Miners, who are charged with complicity in the murder of former Governor Steunenberg, issued a formal statement in behalf of the prisoners. It was anticipated that the statement would be a direct reply to President Roosevelt's "undesirable citizens" letter, but the statement is in reality a general one, and references to the president are to the former letters of the executive. The statement follows:

"We have been charged with killing ex-Governor Steunenberg with a dynamite bomb. Our trial is to begin on the 9th of this month. The details of the assassination have been published broadcast throughout the civilized world for more than a year, during all this time the press of the country, especially that section of Idaho where we will be placed on trial, has bitterly denounced us and the Western Federation of Miners, to which we belong. The most powerful interests of the country are seeking to take our lives. We were not in Idaho for years before the crime was committed. Under the law we could not be extradited from Colorado. But in spite of this we were arrested on a perjured affidavit, charging that we were in Idaho at the time of the commission of the crime and that we immediately fled from the state, and on this perjured affidavit, known to be false, the governors of the two states of Idaho and Colorado kidnapped us in the night time, refused us an interview with family, friends or counsel or a chance of appeal to the courts, and brought us on a special train a thousand miles from home and into a state and community systematically poisoned against us by newspapers and officials. We have been confined in jail for fourteen months against our protest, and denied bail while constantly demanding a trial. Every effort has been made to teach the farmers, business and workmen of the community that we are assassins and outlaws.

"Venom of President."

"After all this time our case is about to be reached, and the president of the United States, in no way interested, officially or otherwise, sends two letters broadcast over the country charging us with guilt and crime. These are republished in every paper in the land, and especially every paper of Idaho. The governor of Colorado, a day or two later, adds his words of spite to the venom of the president and says that we are not only guilty of the crime charged, but of many others, too. While the president of the United States and the governor of Colorado are sending out their statements to compass our death, the judge of this county has brought a citizen before him for contempt on the charge that he tried to influence the mind of a prospective juror by saying that 'the state administration was trying to railroad us.' On the appearance of this man in court, the judge promptly told the state's attorney that he should have this obscure farmer indicted for felony because he tried to influence the mind of a prospective juror. The president knows how much greater weight will be given to his words than those of an obscure private citizen.

"If we are about to be tried in court every law-abiding citizen, however great and humble, should do everything in his power to cool the passions of man, rather than add fuel to the flames. If we are to be thrown to the mob the officers should at least open our prison doors and give us some chance to defend ourselves."

Prisoners Are Cheerful.

Barring the pallor inseparable from confinement, Haywood, Moyer and Pettibone show no mark of long confinement nor apparent trepidation at the close approach of the trial so high in consequence to them. They were laughing at a story told by one of their counsel when they received a correspondent of the Associated Press and the laughter went on until the discussion of the old battle of capital and labor gravened the general conversation.

Pettibone, whom they used to call "Happy Hooligan" down in Denver, is the fun-maker of the trio. He has marked native wit and a droll, quaint manner of expressing himself and even when today he made sport of his own execution, it was impossible to refrain from laughing with him.

The hotels of Boise are gradually filling up in anticipation of the trial. The town itself, however, shows absolutely no signs of unusual conditions other than the presence of many strangers. Notwithstanding alarmist reports, there does not appear to be the slightest reason to anticipate disturbance. In fact the citizens ridicule the suggestion.

Colorado Student Killed.

Denver, May 2.—W. F. Connell,

## THE CONDITION OF THE WEATHER

Temperature for Twenty-four Hours. Forecast for Nebraska.

Conditions of the weather as recorded for the twenty-four hours ending at 8 a. m. today:

Maximum . . . . . 68

Minimum . . . . . 32

Average . . . . . 50

Barometer . . . . . 30.04

Chicago, May 2.—The bulletin issued by the Chicago station of the United States weather bureau gives the forecast for Nebraska as follows:

Partly cloudy tonight and Friday. Colder tonight, with killing frost.

aged twenty-eight, of Greeley, Colo., a student in Denver university, became entangled in a live wire while trying to hang an effigy of the freshman class to a telegraph pole, and was electrocuted.

## BASEBALL RESULTS

American League—Boston, 4; New York, 3; Cleveland, 2; St. Louis, 0; Detroit, 3; Chicago, 3 (14 innings).

National League—New York, 7; Boston, 4; Pittsburg, 3; St. Louis, 0; American Association—Indianapolis, 2; St. Paul, 7; Toledo, 2; Kansas City, 3; Louisville, 3; Milwaukee, 2; Columbus, 2; Minneapolis, 1.

Western League—Omaha, 5; Pueblo, 3; Lincoln, 5; Denver, 1; Des Moines, 3; Sioux City, 2 (11 innings).

BALLOON LANDS IN ILLINOIS

WIND PLAYS SAD TRICK ON ARMY OFFICER AND AERONAUT.

FAIL TO BREAK THE RECORD

Big Bag is Carried First in One Direction and Then in Another, Finally Landing Near Golconda, After Perilous Cloud Voyage Lasting 19 Hours.

Golconda, Ill., May 2.—Captain C. DeP. Chandler, United States signal service, and J. C. McCoy of New York, failed to break the long distance balloon record and to win the Lahm cup. The balloon, which left St. Louis Tuesday evening, landed five miles north of Golconda, after being in the air about nineteen hours. To have won the Lahm cup, the balloon would have had to go more than 402 miles. Golconda is only 139 miles from St. Louis. Changeable air currents demonstrated to the aeronauts that they could not win the cup and for that reason they made the landing near here. The balloon made an easy landing. It was brought to Golconda in wagons. McCoy goes with it from here to New York, while Captain Chandler goes to Washington.

Captain Chandler made the trip for the purpose of making balloon observations for the United States army. He and McCoy, upon leaving St. Louis, hoped that the winds would carry them toward Washington, but the balloon took a southerly course immediately upon leaving the ground. It crossed the Mississippi river and continued southwest near the river some distance, when it was driven back into Missouri. It then continued south until near the Arkansas line. At noon the balloon hovered over Cape Girardeau, Mo. A west wind there took it across to Illinois.

Just before crossing the river the drag rope struck a tree, impeding the progress of the balloon. Ballast was thrown out and the balloon rose to an altitude of two miles. The sun came out and it went still higher. It continued east into Indiana. Here an east wind struck the balloon, driving it into the clouds. Emerging from the clouds the aeronauts found themselves over the Ohio river, near Golconda. They then descended.

RACE RIOT IN INDIANA

White Men Angered Over Assault on Woman Drives Negroes from Town.

Greensburg, Ind., May 2.—The bitter feeling against negroes as a result of an assault on Mrs. Seaton, an aged white woman, caused a race riot here. Six negroes were badly beaten, one of whom may die.

The mob was formed by three white men and rapidly increased to 500 men. All saloons and other places frequented by negroes were visited and the furniture and fixtures destroyed. Negroes found in the places were beaten and warned to leave town. The authorities finally induced the crowd to disperse after promising that all negroes of bad character will be compelled to leave. Many negroes have already departed and others will be notified by the police to leave. No arrests were made.

SURPRISE FOR SALOON MEN.

Petition Asking Injunction Closing 79 Places Filed by Dubuque Attorney.

Dubuque, May 2.—A bombshell was exploded in the ranks of the saloon men by the filing of petitions for an injunction against seventy-nine proprietors by Lawyer C. M. Thorne. Thorne acts on his own motion. The local Law and Order League, which has been preparing suits for saloon law enforcement, disclaims knowledge of these actions. Temporary injunctions closing up the saloons will be asked next week at the May term of court.