

LIBEL CASE DISMISSED

THE BARNES CASE AGAINST EDITOR MILES OF O'NEILL.

DISMISSAL FOLLOWS RETRACTION

Judge Barnes Authorized the County Attorney of Holt County to Enter a Nolle in the Proceedings After Editor Acknowledges Mistake.

The criminal libel case against Editor George A. Miles of the O'Neil Independent was dismissed from the Holt county district court yesterday. The dismissal follows a retraction published by Editor Miles in the Independent, the dropping of the case being immediately suggested by Judge J. B. Barnes after Editor Miles had acknowledged his error in the article touching Judge Barnes which provoked the libel prosecution.

Yesterday County Attorney E. H. Whelan in the district court of Holt county filed a "nolle prosequi" and moved the court to strike the transcript from the files. The court sustained the motion and dismissed the case, discharged the defendant and released the bondsman.

The dismissal of the Miles libel case this week is a final chapter in the prosecution of the Holt county editor.

FUNERAL OF FERDINAND SCHWEDE.

The funeral of Ferdinand Schwede, a Madison county pioneer who died at his home two miles east of the Norfolk hospital, was arranged for Friday. The services at the house will be held at 10:30 o'clock, at Christ Lutheran church at 12 o'clock noon. Rev. J. P. Mueller will conduct the services.

Mr. Schwede was seventy years old and was one of the German-American citizens who came to this vicinity from Wisconsin in the early seventies. He died of old age.

A wife and four sons survive. The sons are Herman Schwede and Frank Schwede who live six miles east of the city, Gustav Schwede who lives in Pierce county and Fred Schwede who lives on the old home place.

Death came Wednesday. Interment will be in the east cemetery.

BATTLE CREEK.

Iola, the three-year-old daughter of Mr. and Mrs. Joseph Derrick died this morning at 8:30, of brain fever. The funeral will be conducted by Rev. J. R. Callow of the M. E. church and the remains will be laid to rest at the Union cemetery. The funeral will be at 2 o'clock, Friday afternoon.

Howard Miller's brick block will be the finest in the city. The large plate glass front is put in now and the building will be lighted by electricity. The lower part will be occupied by the Battle Creek Hardware company and the harness business formerly transacted by A. P. Brubaker.

The west end drug store changed hands again. W. H. Stocker sold the business back to its former proprietor Chas T. Haman.

John Burch moved into the Manning house on Depot street. County Attorney Jack Koenigstein of Norfolk transacted business here the middle of this week.

John Rodekohn returned Wednesday from an extended visit with relatives in Missouri.

Elbert Carrio has rented the Mark Coad farm in Highland precinct. The place is vacated by J. C. Dinkel.

Nine carloads of stock were shipped to Omaha Monday. Among the shippers were: Fred Tegeler, Harry Niles, Grant Reed, W. H. Daniel, L. J. Daniel, John Praeuner and Wm. Tiedgen.

Mrs. B. Crowell and three children returned Monday after a couple of days visit here with her parents Mr. and Mrs. G. P. Johnson, to her home in Tilden.

S. H. Thatch has moved to town into his house in Highland park.

Major Hale and sister, Miss Birdie Hale of Atkinson were visiting relatives here the latter part of last week.

F. K. Carnett was visiting relatives in Tilden Sunday.

S. S. Moffett was here Saturday from Columbus.

Ralph Simmons was in Norfolk Friday.

J. A. Bressler was here Friday on business from Meadow Grove.

Morris Hale arrived here Friday from Wythe county, Virginia, for an extended visit with his brother, Millard Hale. If this country suits him he may locate here permanently.

HURRAH FOR MICKEY!

Strange Reason for Commending the Ex-Governor.

Gregory, S. D., Jan. 24.—Editor Norfolk Daily News: I see by The News that Gov. Sheldon is to be commended for his brave stand in regard to the Barker hanging, and that if Gov. Mickey had shown the same spirit, Higgins would never have been lynched. Well, all I have to say is, Hurrah for Mickey! If more of these dirty murderers were hanged, there would be less murderous assaults on women and children.

F. Ishert.

William and Mrs. Jason Bour, living near Lindsay, to mourn his loss. He was buried yesterday from the Catholic church, of which he has always been a devoted member.

AGED RIDER THROWN

Seventy-Two Years Old, George Osborne of Tilden, Takes Tumble. George Osborne experienced an awkward accident on Wednesday states the Tilden Citizen. Upon mounting a frisky saddle horse he found one of the stirrups twisted and stooped over in the saddle to take out the kink. The horse appeared to become frightened, jumped sideways and threw its rider. In the fall Mr. Osborne struck a big chunk of frozen dirt and sustained a very painful and extensive bruise along the spinal column. "Daddy" is seventy-two years old, but if he lives to double that age, one couldn't imagine him riding any but frantically and spittle horses—and the horse that throws him in a fair tussle is entitled to a place in equine history.

THE FIREMAN ARE TO COME

STATE CONVENTION WILL BE HELD HERE IN 1909.

NORFOLK BOYS GOT THEIR WISH

Herman Winter Wires The News That the Norfolk Delegation Has Been Successful in Securing Next Winter's Convention.

Nebraska City, Neb., Jan. 24.—Special to The News: The Nebraska State Volunteer Firemen's association will hold its annual convention in Norfolk in 1909.—Herman Winter.

The above telegram, sent by Herman Winter of the Norfolk fire department, tells the story of success that has been accomplished by the Norfolk firemen's delegation attending the state convention this week at Nebraska City. The Norfolk fire boys went to Nebraska City determined to bring back the next convention if possible. How well they have accomplished their desired aim is shown by the brief dispatch.

Twice before Norfolk has entertained the state convention of the state volunteer firemen's association. And without doubt next year's visit will be the best of them all.

Real Estate Transfers.

Real estate transfers for the week ending January 24, 1908, compiled by Madison County Abstract and Guarantee company, office with Mapes & Hazen.

Leon Z. Lee and wife to T. W. Johnson, W. D., consideration \$3,000, lot 3, Durland's suburban lots to Norfolk. August Lu and wife to John Horst, W. D., consideration \$5,000, W 1/2 of NE 1/4 of 3-21-1.

Wilhelm Reikofski and wife to John M. Lulow, W. D., consideration \$12,000, E 1/2 of NW 1/4 21, and S 1/2 SW 1/4 of 16-23-4.

John V. Klein to Chris P. Christensen, W. D., consideration \$4,600, lot 11, block 3, Norfolk Junction.

Andrew J. Durland and wife, Winnie R., to George A. Scott, W. D., consideration \$6,000, E 60 acres of S 1/2 of SW 1/4 of 24-24-1.

Andrew J. Durland and wife to Rachel J. Coleman, Q. C. D., \$1,600, lot 6 in 6-22-1.

Myron L. Ogden and wife to J. E. Crum, W. D., consideration \$550, lot 1 of Davis subdivision of block 12 of Haase's suburban lots to Norfolk.

Elizabeth Knapp to Bena Knapp, W. D., consideration \$25, E 1/2 of the NW 1/4 of 21-21-2.

Mills Real Estate company to Paul Fruhof, W. D., consideration \$380, lots 1, 2, 3, 4, 5, 6 and 7, block 11, Dorsey Place addition to Norfolk Junction.

Mills Real Estate company to William Rieke, W. D., consideration \$220, lots 8, 9, 13 and 14, block 11, Dorsey Place addition to Norfolk Junction.

KENNARD IS BOUND OVER

CHARGED WITH FORGERY, HELD UNDER \$500 BONDS.

BOND HAS NOT BEEN GIVEN

Entered a Plea of "Not Guilty" to the Charge of Forging Garfield Woodbury's Name to a Northwestern Pay Check.

Ray Kennard, charged with forgery, was bound over to the district court at 11 o'clock Friday morning in Justice Lambert's court. Kennard will probably be tried on the charge next month.

Accompanied by his attorney, E. P. Weatherly, Kennard appeared in justice court and entered a plea of "not guilty" to the charge of forging Garfield Woodbury's name to a Northwestern pay check. The prisoner's attorney then waived preliminary hearing and Kennard was bound over to the district court under \$500 bond.

It was not known whether or not the bond could be furnished. Kennard's father, who lives at Plainview, is said to be a poor man and the bond will probably depend on friends. Kennard himself comes from Plainview. He was until recently in the service of the Northwestern.

The officers said Friday that Kennard would remain in Norfolk until Saturday, when he would be taken to Madison if he had not been furnished.

NORFOLK HAS OVER 5,000

WHEN THE OUTLYING DISTRICTS ARE ANNEXED.

MATTER IN DISTRICT COURT

New Territory Includes 135 Property Owners and 100 Actual Resident Families—List of Property Owners a Part of Court Records.

When the annexation petition gets through the district court Norfolk's legal population will be increased by half a thousand. There are 136 property owners in the outlying sections which the city is to bring within the city limits. Of these property owners City Attorney Hazen has figured out that virtually an even hundred live in the territory to be taken in. Taking the customary average of five people to each household gives Norfolk an additional 500 residents to be added by the annexation proceedings.

City Attorney Hazen has secured a list of all the property owners in the districts affected. This list is arranged alphabetically and will be filed with the district court. A plat of the territory has been prepared by City Engineer Salmon.

The annexation petition will be filed at once. Few people in Norfolk who have looked into the matter doubt that Norfolk already has 5,000 people within the city limits at the present time. But once the annexation is complete there will be no doubt of 5,000 people living in the city.

A population of 5,000 will make Norfolk a city of the same class as Beatrice, Fremont, Nebraska City, Hastings and Grand Island, which are governed by a different charter.

FRIDAY FACTS.

Miss Mamie Ward is visiting friends near Nehawka.

Mrs. Oaks, who is now conducting a millinery store at Seward, is visiting in Norfolk.

Spencer Butterfield returned last evening from Sioux City, where he was present at the river congress.

C. C. Clark has returned to Norfolk from Fort Morgan, Colo., where he was employed in a sugar factory during the past season.

Superintendent C. H. Reynolds and Bridge Superintendent Burrell have been out for a trip of inspection over the south Platte lines of the Northwestern.

County Attorney Jack Koenigstein is still in Battle Creek in connection with the taking of an invoice in a Battle Creek drug store which is changing hands.

G. W. Evans is home from Lincoln, where he attended the annual meeting of the Dwelling House Mutual Insurance company. Mr. Evans was elected to the board of directors for a three year term.

C. E. Burnham, Henry Haase and J. B. Maylard, members of the Norfolk delegation to the Missouri River Navigation congress at Sioux City, returned home Thursday evening from Sioux City. G. D. Butterfield, another member of the delegation, went to Omaha from Sioux City.

Among the day's out of town visitors in Norfolk were: E. A. Kinkaid, Plainview; Moses Carrie, Hattie and Margaret Stoeker, Joseph Stoeker, Schuyler; Charles Bruner, Pierce; G. D. Welch, Rockford; J. S. DeForest, Creighton; Mrs. K. S. Haugen, Mrs. Alfred Haugen, Verdel; Mrs. A. S. D. Johnson, Hill, Minn.; M. Nichols, Foster.

S. R. Carney is home from a trip south of the Platte river.

President Kluge of the Rosin coal company, in which many Norfolk people are interested, came up from Dodge Friday on his way to visit the mine in Wyoming.

J. F. Flynn, chairman of the democratic central committee, will go to Madison next week to confer with Madison democrats in regard to calling the central committee together.

Miss Victoria Killian of Cedar Bluffs is a guest at the Killian home in Norfolk, having arrived with her brother, James Killian, who is assisting in the annual invoice of the A. L. Killian store.

A number of firemen returned at noon and the balance will be home tonight from Nebraska City. Among those who returned were: C. E. Hartford, R. H. Reynolds, H. W. Winter, Ed Dixon, Bun Dixon, P. J. Fuesler, Lou Bruce and Lou Kensonner.

Chris Anderson has been threatened with the grip.

Born, to Mr. and Mrs. Ed Wildeman, living northeast of Norfolk, a daughter, Martin Kahland of Tilden and Miss Mollie Simonsen of Millard were married in Omaha.

Miss Elsie Case of South Norfolk has been added to the sales force in the Bee Hive store.

The Madison band on next Monday evening will give an old fashioned minstrel show in the Madison opera house.

The Bonestell motor was missing from the Bonestell line, another small break in machinery taking the car off Thursday.

Ill. Mr. Harper's parents, Mr. and Mrs. George Harper of Plainview, wrote that they would pass through Norfolk on their way to Clearwater.

Ray Kennard, the ex-brakeman charged with forgery, had a visitor yesterday—his father from Plainview. Kennard's home is at Plainview although he has been in Norfolk while a railroad man. His preliminary hearing. It was stated, would be held Friday.

George Stalco's force of men began yesterday noon to put up the 1908 ice crop. Ice is being cut from Stalco's pond, near the sugar factory, and is nine to nine and a half inches thick. The ice is said to be unusually good. A large force of men are on the job, filling various vaults, etc.

Superintendent O'Brien of the state fish hatchery, passed through Norfolk from South Bend for Valentine with 200,000 trout eggs which will be planted in the Verdigris and other streams near Valentine. The eggs are about six weeks old and were hatched at the South Bend station.

Ed Harter has just received a letter from Redding, Cal., giving details of the death of his brother, Joseph Harter. The man died of grip. He had been sick in the hospital of the Mammoth Mining company at Kennet, near Redding, for about a week. He was given suitable burial at Redding.

Fremont Tribune: Mrs. F. M. Sisson of Albion, wife of the Rev. F. M. Sisson, is at the Fremont hospital. Rev. Mr. Sisson, who is pastor of the Methodist church at Albion, was in Fremont today to be with her, and was accompanied by his son, Warren, who is located at York at present.

Musical people, such as the Criterion Musical Four, Ola Faber and Eva Spear, have deserted the ranks of vaudeville and will be seen at the Auditorium, Saturday night with Grace Cameron in "Little Dollie Dimples." The recitals from the polite and "sometimes continuous" will render their various specialties as well as appear in prominent roles.

Glen Willey says he saw a burglar trying to get into the house when he got home Wednesday night. Willey also says that he chased the burglar and that the wicked man had a dark lantern and wore a mask. Willey rode home on a bicycle and rode up on the grass and in this way caught the burglar at his nefarious work which was apparently to break in the house. He was not caught.

The seat sale of tickets for the Grace Cameron performance in "Little Dollie Dimples," which comes to the Auditorium Saturday night, has been brisk from the beginning of the day.

The demand for seats has been unusually large and it is believed that the Auditorium will be packed to its capacity Saturday night for this musical cocktail. A large number of out of town people have already ordered seats and it is expected that many more will arrive in Norfolk Saturday night to see the show.

Miss Grace Cameron's latest vaudeville engagement was at Cape Town, South Africa, and on the long voyage to her native land, when not thinking of "home, sweet home," she was studying the part of Dollie in her new play, "Little Dollie Dimples," in which she will be seen at the Auditorium Saturday night and when she arrived in New York was letter perfect at the reading rehearsal. Miss Cameron has had many offers to return to vaudeville but now that her success as a star is assured, she has turned a deaf ear to the "two-a-day" managers. The play is now making its second tour and is meeting with great success.

Installation of officers of the Loyal Mystic Legion for the coming year was held at G. A. R. hall last night, after which the tables were spread with a bountiful repast, a prominent feature of which was oysters. All present enjoyed a jolly good time and will remember the occasion as one of the bright spots in the history of the L. M. L. A. Following is the new list of officers: John W. Fetter, W. C.; Mrs. E. A. Ogden, W. V. C.; Mrs. D. A. Quirk, W. P.; Mrs. R. A. Adams, P. W.; L. M. Gaylor, W. Tr. and Sec.; Mrs. L. Dudley, C. E. John Quirk acted as installing officer. The installation was semi-public.

"Of course you have plenty of time now," suggested the Norfolk man. "Very busiest time in the year for me," replied the farmer who lives near Norfolk and who has few equals as a successful farmer. "Against common supposition this is the time of the year when I am really the hardest pressed with my work. I need a longer day. In fact, I always employ more help at this time of year than any other season. There is the hay to gather in. There is the wood to cut. Such of the fall crop as we desire to sell is to be marketed. The farm has to be kept in repair, the stock looked after. Any farmer who turns his attention to any extent towards stock-raising finds his winters hold plenty of work. Some farmers may arise at 10 in the winter. I don't."

Congressman Kinkaid has been advised of the following pension allowances: Elmer S. Bailey of Balaugh, Otis Long of Scoville, Lyman Z. Lotspeich of Bingham, George Palmer of Pullman, Francis M. Stumble of Lynch, William Stanley of Lomax, Henry E. Ware of Lexington, Joel Rhoads of Stuart each \$12 per month; Newton Clark of Brady, Jonathan Freeman Elsworth of Hyannis, John H. Mills of Whitney, John F. Williams of Ericson, each \$15 per month; Jacob J. Myers of North Platte, August Miller of Arnold, John A. Points of Ansley, Hanford N. Smith of St. Paul, Robert W. Shaffer of Comstock, each \$20 per month; James F. Kellog of Wood Lake, \$5 per month; Gus Larson, \$12 per month; Mrs. Clara M. Cole of Emmet, \$8 per month and \$2 additional for a minor child.

The call of "Sheriff Dilley!" was taken up on all sides.

The sheriff was the official sergeant at arms of the congress.

That rotund official finally elbowed through the crowd and made his way to Mayor Dahلمان, none of the Nebraska delegates interfering. He took the explosive Mr. Dahلمان by the arm and that worthy, with but little objection, gathered up his coat and hat and was personally conducted to the door by the officer.

Later in the proceedings, after the report of the committee and the matter of how the president should be chosen were disposed of, Gov. Burke, in justice to Omaha's mayor said: "I will now hear the gentleman from Nebraska."

Cries immediately rang out: "We don't want him." They showed decidedly that the delegates were in no mood to listen to the cowboy mayor.

And Mr. Dahلمان did not endeavor to continue his remarks.

Death of Michael Rooney, Jr. Michael Rooney, Jr., living two miles from Battle Creek, classed as a splendid young man, widely known and esteemed by all his friends, died Sunday morning following an attack of typhoid fever. He was about twenty-five years old and lived with his father and mother, who were early settlers

DAHLMAN MAKES DENIAL

OMAHA COWBOY MAYOR SAYS HE WASN'T DRUNK.

WASN'T EVEN OUT OF ORDER

Dahلمان Says Story From Sioux City Was Exaggerated—Claims Chairman Labored Under Mistaken Impression That He Was a South Dakotan.

Omaha, Neb., Jan. 24.—Special to The News: Mayor James Dahلمان of Omaha today declared that the report of the Sioux City waterways congress episode in which he figured, had been grossly exaggerated.

He denied that he was intoxicated or that he did anything ungentlemanly or was out of order.

He said the chairman made errors thinking he was from South Dakota, with the result that a number of delegates from the state precipitated the trouble by insisting that he sit down.

Sioux City, Jan. 24.—Mayor Jim Dahلمان, of Omaha, made his speech yesterday afternoon—that is, he tried to make it.

The cowboy mayor was on the list of notables who were down for addresses at the doubleheader banquet of the Missouri River Navigation congress Wednesday night, but he failed to arrive in time for the banquet.

The far famed burgomaster endeavored to make a few brief remarks at the closing session of the congress at the New Grand theater yesterday afternoon, with the result that he was ejected from the convention upon demand of the assemblage.

Hisses, cat calls, stamping of feet and loud cries of "Put him out!" drowned the thick accents of the man from down the river when he endeavored to present some of his perfumed opinions.

"I want to say right here that I represent the people of Nebraska," came in an unsteady voice as Dahلمان rose to his feet. It was evident that the mayor during his sojourn in Sioux City had not devoted his attention exclusively to waterways.

The audience got restless. "I want to say right here that I have something to say about this matter," repeated Omaha's mayor. "Let me tell you something. I have something to tell you. I know something about this."

Difficulty of Navigation. Thereupon he proceeded to illustrate some of the difficulties of navigation and advanced a few steps down the aisle, grasping the seats on either side as he went.

By this time the audience had discovered the truth. Dahلمان was for water—in the river.

The audience was more than restless.

"We are ready to help fix the Missouri river, and want to see it done," declared Mayor Dahلمان, "but I want to tell you that what you have got to do is to go down to Washington and see Joe Cannon and Allison and all those other fellows—"

A noisy pounding of shoe leather sounded from one end of the room and was taken up by other impatient delegates till the voice from Nebraska was drowned in a racket. Remarks of protest came from various members not respectful of the dignity of the chief executive of so large and important a city.

Dahلمان Held Floor. One man arose to a point of order. Others seconded his point loudly. The confusion grew as hisses were added to the stamping. But Dahلمان held the floor.

Gov. Burke tried to make himself audible above the din.

"The gentleman from Nebraska is out of order," shouted the chairman.

"Put him out!" came in a vociferous chorus from an upper box.

"Sit down!" and "Shut up!" resounded from all corners of the room. "I won't sit down," called Dahلمان in as loud a voice as he could muster.

"Come on and put me out! I am here to talk, and I am going to talk." And he began to remove his coat.

The demand that the speaker be put out was repeated time and again. "Is there a sergeant at arms in the house?" inquired Gov. Burke, trying to make his voice heard above the confusion. "Is there a sergeant at arms in the house?" he repeated.

Dilley to the Rescue. The call of "Sheriff Dilley!" was taken up on all sides.

That rotund official finally elbowed through the crowd and made his way to Mayor Dahلمان, none of the Nebraska delegates interfering. He took the explosive Mr. Dahلمان by the arm and that worthy, with but little objection, gathered up his coat and hat and was personally conducted to the door by the officer.

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Arbuckles' is a tremendous organization that results in economy, and gives coffee drinkers in the United States the cheapest good coffee in the world.

We have our own offices in Brazil, charter our own vessels that bring the coffee to our own docks in Brooklyn, own our own stores where the green coffee matures and improves.

Arbuckles' Ariosa Coffee

is not touched by human hands—it is cleaned, sorted, roasted, packaged and weighed by ingenious machinery, mostly constructed by our own machinists in our own shops.

The package is for your protection, that you may be positive that you receive the genuine Arbuckles' Ariosa Coffee every time—no matter where you buy it or what price you pay. We will tell you where you can buy Arbuckles' Ariosa Coffee if you have trouble in finding it.

ARBUCKLES BROS., New York City.

In this section of north Nebraska. He was a member of the O'Neill council of the Knights of Columbus and members of that order will be in attendance at his funeral which will be held at the Catholic church in Battle Creek at 10 o'clock Tuesday morning. Father Thomas Walsh will be assisted by Father McNamara of Bloomfield, Father Dolan of Chadron, Father J. T. Smith of Omaha and Father Mulligan of St. Edwards.

week before Postmaster Olson. It is understood that there are about eleven applicants for the two jobs.

Last week a paper was circulated about town and almost unanimously signed, asking that our officials take steps to entirely suppress the gambling evil. Those who signed the document mentioned, pledge themselves to stand by all lawful efforts to make it a complete success.

Al. Sears says a Catholic priest at Downs lately told him the following story: An Irish section boss was discharged, and an Italian placed over him, as foreman. One day the Irishman's priest came along, and said: "Good morning. How do you like your dago boss?" "All right," the Irishman replied; "how do you like yours?"

The State of Nebraska, County of Madison, ss.

At a County Court held at the County Court Room, in and for said County, January 11, 1908.

Present, Wm. Bates, County Judge. In the Matter of the Estate of Ralph L. Braasch, deceased.

On reading and filing the petition of Jack Koenigstein, late attorney for C. W. Braasch, administrator, now deceased, praying that administration of said estate may be granted to Burt Mapes as administrator, De Bonis Non.

Ordered, That February 10, A. D. 1908, at one o'clock p. m. is assigned for hearing said petition, when all persons interested in said matter may appear at a County Court to be held at the court room in and for said county, and show cause why the prayer of petitioner should not be granted; and that notice of the pendency of said petition and the hearing thereof, be given to all persons interested in said matter by publishing a copy of this order in Norfolk Weekly News-Journal a weekly newspaper printed, published and circulated in said county, for three successive weeks, prior to said day of hearing.

Wm. Bates, County Judge. (Seal.)

Notice to Creditors. The State of Nebraska, Madison County, ss.

In the matter of the estate of Vallie B. Nethaway and Mary L. Nethaway, deceased. Notice is hereby given to all persons having claims and demands against Vallie B. Nethaway and Mary L. Nethaway late of said Madison county, deceased, that the time fixed for filing claims against said estate is six months from the 21st day of January, 1908. All such persons are required to present their claims with the vouchers to the county judge of said county at his office in the city of Madison, in said Madison county, on or before the 22nd day of July, 1908, and that all claims so filed will be heard before said judge on the 22nd day of July, 1908, at one o'clock p. m.