

EMBEZZLERS HOPE TO ESCAPE

Move by Which Whitney, Mills and Bartley May Get Out.

QUIBBLE CONCERNING SUPREME COURT

Attorneys for the Convicted Men Set Up the Handling Down of the Decisions Was Irregular and so Void.

WHITNEY, MILLS, AND BARTLEY

LINCOLN, Jan. 13.—(Special.)—Friends of Whitney, Mills, and Bartley in Harlan county who are now in the penitentiary, are making a move to secure their release and if all reports are true there is something sensational in the turn matters are taking. William M. Ervin, a prominent local politician from Harlan county, came yesterday and went out to the penitentiary to see Mills. It is said that he was empowered to conduct negotiations so that in case Mills could be released from the penitentiary for a short time \$3,000 would be raised to use in making a compromise settlement with the Board of Supervisors of Harlan county. The friends of Mills seem to have gained the impression that in case such a settlement could be made the sentence of Mills could be revoked. However, when Mr. Ervin arrived at the penitentiary the warden would not allow him to see Mills, having made the rule that the newly registered prisoners could see no visitors except their regular attorneys. Cobb & Harvey, attorneys of this city, have been employed by the friends of Mills and an attempt will be made to secure the release of the ex-convict on habeas corpus proceedings. The grounds upon which the application is to be filed will be that the supreme court held the hearing in the case at an "adjourned term" and a test case will be made on this point.

SIGHTS A HOPE FOR BARTLEY.

If the attorneys are relying on any other claim of irregularity to support the petition they have not seen fit to make them public. In the meantime, a test case in the attempt to free Mills would have more than a double significance. It would be a test case in the decisions of the lower courts in the cases of Mills, Whitney and Bartley were all handed down on the same day, and an applicant that the supreme court would not be good for the release of the other two. It was noted this afternoon that the Mills and Bartley attorneys were in close consultation and that they were together in looking up the law in the case.

THE DECISIONS

The three decisions were handed down by the supreme court on the 13th of January, 1898, and the courts since that time have not "adjourned sitting," but was an extra sitting, being a part of the regular September term. It is the usual practice of the court to hold the sitting the first of the year just before the commencement of the new term in order that pending cases may be disposed of in the term during which the hearings were had. The attorneys of Mills and Bartley expect to look up the law and set on the habeas corpus writ immediately. They can find authorities to sustain them. Other attorneys, however, have very little faith in the proceedings and it is said that the lawyers who had charge of the case in the lower courts have decided to assist in the new application.

GOSSIP FROM THE STATE HOUSE.

State Auditor Cornell has just issued the following statement: During the fiscal year ending November 30, 1897, there have been adjusted in the auditing department the following claims amounting to \$1,791,625.83, as follows: Fund Claims, Total, \$1,791,625.83. Normal school fund, \$2,989,922. Normal interest, \$1,647,622. Hospital for insane fund, \$3,379,000. Temporary school fund, \$39,154.33. Penitentiary special labor fund, \$1,738,136.67. University funds, \$1,738,136.67. General fund, \$9,830,169,036.90.

WARRANTS PAID

Warrants have been paid during the fiscal year ending November 30, 1897, as follows: Institute for Feeble Minded Youth, \$1,052,262. State library fund, \$2,841,284. Normal school fund, \$2,989,922. Hospital for insane fund, \$3,379,000. Temporary school fund, \$39,154.33. Penitentiary special labor fund, \$1,738,136.67. University funds, \$1,738,136.67. General fund, \$9,830,169,036.90.

REDUCTION IN STATE DEBT

At the close of the fiscal year ending November 30, 1897, the reduction in state debt during the fiscal year ending November 30, 1897, was as follows: Total indebtedness, \$1,784,251.01. Reduction in state debt during the fiscal year ending November 30, 1897, \$1,943,900. Net outstanding, \$1,784,251.01.

DECISIONS IN BONACUM'S FAVOR.

Question of a Church Subject for Litigation. TUCUMSEH, Neb., Jan. 13.—(Special.)—Judge C. B. Letton found for Bishop Bonacum in the case where the bishop was lawfully with Michael Shaughnessy and Michael Murphy for possession of the church property of St. Andrew's Catholic church here. Shaughnessy and Murphy were the old trustees and refused to give up the property when the noted case of Bonacum against Rev. McMurphy was settled. They wanted the bishop to recognize them as trustees, and he did not want to. The case was tried some two weeks ago, but the judge held his decision until yesterday. Murphy and Shaughnessy have taken a thirty-day stay, and will probably appeal to the supreme court.

Otoe County Mortgages.

NEBRASKA CITY, Neb., Jan. 13.—(Special.)—The annual statement of the mortgage indebtedness of Otoe county for 1897 was completed today. The showing is very satisfactory and dispels all doubt as to whether or not this class of debtors has experienced prosperity during the year just closed. The fact that the mortgages filed were 222 in number; aggregating \$298,537.87; releases, 242; amounting to \$383,855.72, on city property the filings noted up \$52,624.44; and the net decrease for the year was \$106,570.21.

Otoe County Fair Association.

SYRACUSE, Neb., Jan. 13.—(Special.)—The Otoe County Fair and Driving Park association held its regular annual meeting yesterday. Reports of the various officers showed the society to be in good condition. The following named officers were elected for the ensuing year: A. F. Coddington, president; O. J. Davis, first vice president; M. H. Wiley, second vice president; A. Cook, third vice president; W. E. Ryan, fourth vice president; George E. Brown, fifth vice president; R. J. Beets, treasurer; F. E. Brown, secretary.

More Officers Installed.

LEIGH, Neb., Jan. 13.—(Special.)—Leigh camp, No. 1023, Modern Woodmen of America, held open installation at its hall last night and installed the following officers: Venerable consul, T. P. Aspinall; worthy adviser, C. H. Morlan; banker, J. J. Nichols; clerk, W. G. Markham; escort, J. H. Pieper; chairman, Dr. A. U. McKinley; watchman, W. McCurdy; sentry, J. O. Aspinall; manager, L. V. Graves. Immediately after installation a banquet was tendered lodge members and families.

Victimized by a Stranger.

ASHLAND, Neb., Jan. 13.—(Special.)—Another victim of misplaced confidence is reported from near Greenwood. Jacob Hardwood, an old resident of Cass county, recently moved to Oklahoma and secured a claim. He became tired of the country and wanted to move back to Nebraska. On the way back he met a smooth appearing stranger, who offered him the chance of a

HORTICULTURISTS GET THROUGH.

Closing Session of the Convention a Very Busy One. LINCOLN, Jan. 13.—(Special.)—The closing session of the State Horticultural society was held this morning. Reports from horticultural districts, revision of the premium list and revision of fruit lists were taken up first. The committee on revision of the premium list was authorized to issue a list if necessary, and also to take action in regard to awarding premiums for the year 1898.

Losses a Foot.

PLATTSBURGH, Neb., Jan. 13.—(Special.)—Physicians of this city were called to Union last evening to attend County Treasurer Eikenberry, who accidentally discharged a load of shot into his right foot while out hunting, report that amputation was necessary to save his life. The operation was performed last evening. Mr. Eikenberry carried a very heavy accident insurance, about \$17,000.

Over an Embankment.

HASTINGS, Neb., Jan. 13.—(Special Telegram.)—A party of young people started last evening to spend the evening at the home of a young woman friend. The party consisted of two miles north of town. The wagonette in which they were riding went over a ten-foot embankment. The fall resulted in a broken wrist for Will McKelvey, and had bruises for Walter Deets and Walter Boyd. The others escaped injury.

Caught by the Sheriff.

PLATTSBURGH, Neb., Jan. 13.—(Special.)—Ex-Sheriff Holloway returned from Oklahoma yesterday, where he had been to shoot a coyote. He had some time since very hastily returned to Plattsburgh, where he was departing for Indian Territory and relieved him of gold enough to satisfy the holder of the note.

Shot His Brother.

UTICA, Neb., Jan. 13.—(Special.)—Last evening about 6 o'clock, Victor, the 6-year-old son of Mr. and Mrs. Joseph Manweiler, shot his 12-year-old brother, Jesse, through the heart with a ball from a .32-caliber rifle. The boy lived long enough to run about thirty feet, when he expired. The cause of the killing were both absent when the accident occurred.

Campfire at Ord.

ORD, Neb., Jan. 13.—(Special.)—The Loup Valley Nebraskans' association held its midwinter campfire here yesterday afternoon and evening. A pleasantly number attended and the time was pleasantly spent. The executive committee designated St. Paul as the place to hold the next fall encampment.

Girl Has a Bad Fall.

HASTINGS, Neb., Jan. 13.—(Special Telegram.)—A little girl named Mervine Dace, 5 years old, fell from a stairway last evening, a distance of fourteen feet, to the ground, striking on her head. It was not until 5 o'clock this morning that she regained consciousness. Her condition is critical.

Joint Installation.

ASHLAND, Neb., Jan. 13.—(Special.)—Joint installation ceremonies for newly elected officers were held tonight at the hall of Bob McCook post by the Woman's Relief corps and Bob McCook post, Grand Army of the Republic.

Contract Awarded.

CLAY CENTER, Neb., Jan. 13.—(Special.)—The County Board of Supervisors of Clay county yesterday awarded the contract for furnishing stationery to the lowest bidder, J. W. Wood, secretary, William French, treasurer.

Officers Chosen.

GERING, Neb., Jan. 13.—(Special.)—The Scots Bluff County Fair association has elected the following officers for the ensuing year: Frank Beers, president; Fred D. Welt, vice president; Peter McFarlane, treasurer.

Burglars at Geneva.

GENEVA, Jan. 13.—(Special.)—The store of Bruce Merston, in Geneva, was entered last night by sneak thieves, who did not succeed in finding much cash. They effected an entrance through a back window.

IOWA NEWS.

Conflict Between City Officials.

SIoux CITY, Jan. 13.—(Special.)—Mayor Cleland of Sioux City and Councilman Kennard, representing the Elchth ward, have been engaged in council chamber wrangles for some time past, and the feeling between them seems to be very bitter. Mayor Cleland is a neighbor of Kennard's, and the mayor's mother being a sister of the alderman. At the last session of the city council these two men poured hot words into each other, to the astonishment of the spectators.

Want Home Based School Books.

DES MOINES, Jan. 13.—(Special.)—The Home-based union of this city has taken the initiative in the matter of providing that all books used in the schools of Iowa shall be printed in this state. The committee which reported to the union found that the state annually purchases books of this kind \$150,000, all of which went beyond the borders of the state. The recommendation of the committee is embodied in its substance in the following paragraph: That the union shall, through its officers and the legislative body of the State Federation of Labor, use its utmost endeavor to have the Twenty-seventh general session of the Iowa legislature, in the month of January, 1899, pass a resolution of a commission, the membership of which shall represent the interests of education, business and industry, to investigate the question and report upon it to the twenty-eighth general assembly.

New Point in School Law.

INDEPENDENCE, Ia., Jan. 13.—(Special.)—Judge Blair of the district court has rendered a decision which, if sustained, may make many changes in the management of the schools of Iowa. The school law of Independence employed Prof. Burkhead for a term of five years. After four years of service a new superintendent was hired. Superintendent Burkhead was given an amount of a year's salary. A demurrer was entered by the defense on the ground that the defendant had no authority or power to make a teacher's contract for a year, and that said contract is against public policy. Judge Blair sustained the demurrer.

Iowa Barbers Well Organized.

DAVENPORT, Ia., Jan. 13.—(Special.)—The barbers for the regulation of the business of barbering and providing for some method of licensing them in Iowa will be presented in the legislature by the representative from this county. The barbers here have great hopes of the passage of the bill. The barbers are organized in Davenport, Des Moines, Nashua, Chariton, Earl, Grove, Dubuque, Storm Lake, Rock Rapids, Cherokee and Council Bluffs, and it is expected that organization will be reported in a few days from Burlington and Cedar Rapids.

Early Nominations to Be Made.

MARSHALSTOWN, Ia., Jan. 13.—(Special.)—The republican county campaign committee has been organized for the year 1898. The organization was for the primary election for the nomination of a county ticket. This will be held March 15 next. A

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