

CINCH GAME LAW VIOLATORS

Quartet of Holt County Hunters Pay \$135 for Their Sport.

TRIAL OF THE CASE PROVES EXCITING

Secretary March, on Strength of Opinion by Attorney General, Decides to Submit Constitutional Amendment.

(From a Staff Correspondent.)

LINCOLN, July 23.—(Special.)—Chief Game Warden Simpkins and Deputy George Carter successfully raided a crowd of illicit hunters in Holt county Monday afternoon.

The capture included John P. Sullivan, Jerry Sullivan, Patrick Sullivan and Patrick Sullivan and in their possession were found seventeen prairie chickens. The men were convicted and fined \$5 for each bird and the costs of the prosecution, the aggregate penalty being \$135.

The arrest and trial of these men created a sensation in O'Neill, the county seat, and throughout the country. M. F. Harrington was employed to defend them and in the trial put up the plea that mere possession of the prairie chickens outside of the open season was not in itself an offense for which a penalty could be imposed.

The Sullivan were unanimous in declaring themselves not guilty and each demanded a trial by jury. They were summoned and, against their own remonstrance, were ordered by Judge Morgan to sit in the case. From far and near came hunters and others and when the hearing was begun the courtroom was packed to its capacity.

Case Looked Hopeless.

"It seemed like a hopeless case, for everybody apparently was on the side of the accused," said Mr. Simpkins, describing the sensational trial. "The county attorney assisted in the prosecution and probably did more than anybody else to bring the conviction. In summing up the case he said: 'Gentlemen of the jury, the four boys here are highly respected members of the community, are on trial for the violation of a law. They are friends of mine and I am loathe to prosecute them, but when I took the oath of my office I pledged myself to support the constitution and enforce the law. It is my duty to do so. I am living up to that oath. Now it is up to you as business men of this city to live up to the oath you have taken to truly try the issues of this case.' That one remark seemed to clinch the whole case.

"Well, the jury retired and was out six hours. On the first ballot the vote was ten for acquittal, one for conviction and one not voting. On the second ballot, taken two hours later, ten were for conviction. The third ballot was unanimous, but then there was dissent as to the fine. The jury wanted to have the fine fixed for only one or two birds. The judge was called in and he told them it was either guilty or not guilty and if the former, \$5 for each bird. Then we got the verdict."

Mr. Simpkins says he has numerous reports of illicit shooting in Holt county, but has been unable thus far to secure a conviction. His secret service has not penetrated the district and the only way he could catch the shooters was to do it himself. The men in this particular case, who was in the city today attending to some matters connected with the institution, says the same condition prevails throughout the county.

Lincoln Bank Statement.

The statement of the condition of the three national banks of this city, made in response to the call by the comptroller of the currency, shows a substantial increase in the volume of business of these institutions, the increase in both deposits and loans since the last statements were made. Following is a comparison of the deposits:

Table with 2 columns: Bank Name, Deposits. Rows include First National, Columbia, City, and Totals.

It is reported to the executive department that the farm of the Reform school at Kearney was never in better condition and never gave prospect of a greater yield than now. Superintendent Bechtel, who was in the city today attending to some matters connected with the institution, says the same condition prevails throughout the county.

"Aside from a little damage to oats by a high wind everything grows or grows on the state farm in excellent condition. In fact, couldn't be better," said Dr. Bechtel. "We have about 200 acres of corn tasseling, as fine as can be found in the state. Our wheat has averaged forty bushels per acre and some fields yielded much more. We have had two cuttings of alfalfa and will soon have a third. There are seventy-five tons of alfalfa under cover at the school and about a third as much more in stack. The farm this year includes seventy acres of wheat, eighty acres of oats and seventy acres of beets, besides the land devoted to other crops."

Dr. Bechtel has prepared to give the boys at the Reform school all the milk they can conveniently drink. He has purchased several sows and will add to the herd as the boys' capacity increases. He now has eighteen cows and 138 boys. President M. L. Scudder of the Lincoln Traction announces the proposed construction of a new street car line to the state fair grounds. It has been reported by some newspapers that the company would discontinue its service to the grounds because of alleged unfair concessions made to the Burlington railroad.

Philippine Veterans Organize.

A local branch of the National Society of the Army of the Philippines has been organized with the following officers: President, Captain L. Wilson, late First Nebraska, United States volunteers; first vice president, Captain Harry L. Archer, late First Nebraska, United States volunteers; second vice president, Private Charles Andrews, who served on Olympia with Dewey in Manila bay; third vice

IGNORE GOVERNOR'S VETO

Amendment to Constitution Will Be Submitted to Vote of People.

DONE ON ADVICE OF ATTORNEY GENERAL

Proposed Amendment Makes Majority Vote on Proposition All That is Required to Adopt Other Amendments.

(From a Staff Correspondent.)

LINCOLN, July 23.—(Special Telegram.)—In the face of the ex-Governor Dietrich to the constitutional amendment Secretary of State Marsh has decided to submit the measure to a vote of the Nebraska electors next November. This move is taken on the advice of Attorney General Felt, who declares that the governor has no right to reject or affirm a bill, or at least such preference bears no weight on the matter. He holds that the initiative is taken by the legislature and the electors then approve or disapprove the measure.

The scope of the proposed amendment is to change the majority necessary to carry a constitutional amendment from the majority of all votes cast to a majority of the votes cast on the proposition in question. In his veto message Governor Dietrich stated that his reason for rejecting the measure was that the expense of submitting the bill would be about \$50,000, but Secretary Marsh estimates the cost will not exceed \$7,500.

COURTS FAVOR HOMESTEADERS

Hold Valuable Cass County Land Relinquished to Government and Squatters Now Prove Up.

(From a Staff Correspondent.)

WEeping Water, Neb., July 23.—(Special.)—Francis M. Masie and Mrs. Sarah E. Philpot are proving up on 160 and eighty acres of land, respectively. This with eighty acres on which Charles Meiler is located are the only homesteaded lands in Cass county which have not been proved up.

This total of a half section of the finest land in the county has been awaiting a decision of the courts for years and was only recently decided as government land and subject to homesteaded entry. In the meantime those who have squatted on and farmed it the last thirty years have not had to pay taxes, neither could they leave it for fear of outsiders jumping their claims.

The B. & M. railroad claimed the land in question and the settlers' rights. As long as this suit was pending the United States land office officials refused the tender of money by the interested parties, who wanted to make final proof, and so the case has dragged along for years. Finally being decided in favor of the homesteaders.

This half section is but a few miles from town and is now worth \$60 to \$70 per acre.

Hire Dogs to Trail Robbers.

WAUSAU, Neb., July 23.—(Special.)—Several robberies of store have been perpetrated here in the last six months, the latest of which was Saturday night, when York & Co.'s store was entered and, in addition to some merchandise, the thief secured some money, although the safe was not molested. The city council resolved to put a stop to this sort of thing if possible and hired bloodhounds from Beatrice to be put on the trail.

The dogs arrived Monday night and took up the scent near the cellar door, where the thief entered.

The dogs followed the trail around inside the store and thence to a house. Not satisfied with this the council had the hounds again put on the scent Tuesday morning.

After retracing the route taken Monday the dogs followed a wagon trail down town and approaching the vehicle which stood in the street tried to climb in where the driver sat.

Center County Institute.

BROKEN BOW, Neb., July 23.—(Special Telegram.)—The teachers' institute in session here this week with 200 in attendance. Yesterday afternoon was patrons' and school officers' day. State Superintendent Fowler addressed a large audience in the Presbyterian church yesterday afternoon and another in the city park last night. A county organization of school officers was effected. J. J. Tooley was elected president and A. A. Dietz secretary.

Fall May Prove Fatal.

BEATRICE, Neb., July 23.—(Special Telegram.)—Ed Fry, local agent for the Standard Oil company here, was probably fatally injured this evening by being thrown from his wagon. He sustained a broken arm and was frightfully bruised about the body. The accident was caused by one of the wheels of the wagon coming off.

Blue Must Answer Charge.

YORK, Neb., July 23.—(Special.)—W. F. Blue was arrested yesterday, charged with selling intoxicating liquors. The charge is that on July 4 he disposed of liquors at the stock yards in York. He was bound over to the next term of the district court under \$300 bond.

Resume Threshing and Stacking.

HARVARD, Neb., July 23.—(Special.)—Shocks of grain are again in such condition that threshing and stacking has begun through much of the wheat is wet.

Defeat Bond Proposition.

WYMORE, Neb., July 23.—(Special.)—The proposition to issue \$50,000 of 4 per cent refunding bonds was defeated yesterday by less than four votes.

OUTPUT OF PACKING HOUSES

Omaha Gains Another Ten Thousand on the City at the Mouth of the Kaw.

CINCINNATI, O., July 23.—(Special Telegram.)

Price Current says the marketing of hogs shows a further decrease. The total western packing is 305,000, compared with 320,000 the preceding week and 325,000 last year. Since March 1 the total is 1,740,000, against 1,925,000 a year ago. Prominent places compare as follows:

Table with 2 columns: Location, Packing. Rows include Chicago, Omaha, Kansas City, St. Joseph, St. Louis, Indianapolis, Sioux City, St. Paul, Cincinnati, Milwaukee, Cedar Rapids, Ottumwa.

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SMUGGLER CLEVERLY CAUGHT

Premier Society Woman Attempts to Conceal a Pearl Necklace.

WEARS IT UNDER HER DRESS COLLAR

Says She Did Not Declare It Because She Wanted to Ask Her Husband Whether She Should Keep it or Not.

(From a Staff Correspondent.)

NEW YORK, July 23.—As a prominent young society woman of Philadelphia stepped from the steamship Kron Prins Wilhelm in the arrival here, having met her husband, waiting on the pier, an agent of the Treasury department interrupted their conversation and took from the woman a pearl necklace reported worth \$20,000, which she had purchased in Paris and omitted from her declaration.

A special treasury agent had been in Paris and learned of the purchase of the necklace. He determined to return to New York on the same steamship with the purchaser. He noticed that she had made no mention of the gems in her declaration to the customs officers. He remained nearby at the pier, and after the traveler had greeted her husband he, with another agent, asked the couple to return to their stateroom. He asked for the necklace and the woman, who wore it around her neck, under the dress collar, handed the pearls over.

Collector Stranahan may allow the payment of the duty of 50 per cent and deliver the necklace to its owner. The latter said, however, he might decide not to pay the duty, and return the necklace to the Paris jeweler, who sold it to his wife. The woman said she had no intention of evading payment, but wished to consult her husband about the customs officials.

MILITARY POST ON PASIG

Reports Reach War Department of Good Progress in Its Construction.

WASHINGTON, July 23.—Reports have reached the War department of excellent progress on the Manila post. Congress appropriated \$500,000 early in the year and \$250,000 more for the Pasig river has been acquired for the post. The tract is about three miles long and one mile wide. Roads have been graded and macadamized from the river to the buildings and work on the latter is being pushed rapidly.

The lumber for these quarters is sent from the Columbia river and Puget sound. It costs about \$15 per thousand and about \$10 per thousand more for transportation, but the total cost is cheaper than it can be purchased for in Manila. It is said that the white oak, which is so destructive to most woodwork in the Philippines, does not injure the yellow pine of the Pacific coast.

There was appropriated in the army bill \$1,500,000 for other posts in the Philippines and General Johnston will make reports and recommendations to Secretary Root as to their location. It is understood that quite a large post is to be erected at Iloilo, which is to be the headquarters of the southern islands.

GUNBOATS ARE KEPT BUSY

Conditions Change Faster Than the Foreign Ships Can Move in Central America.

WASHINGTON, July 23.—The Navy department has taken steps to investigate the reported interference with American shipping in Venezuelan waters, which is said to have resulted from the recent blockade declared by President Castro upon a number of ports in the republic.

The Navy department has been informed that Commander Rodgers left La Guaira yesterday with the gunboat Marietta for the mouth of the Orinoco river and will stop enroute at Cumana, Crupano and Trinidad.

The work laid out for Marietta will keep it busy for five days or more and meantime the gunboat Ranger, at Panama, will be the only sentinel on the Isthmus, Machias having been ordered to sail at once from Colon for Cape Haytien.

Estimate for New Orleans District.

WASHINGTON, July 23.—Colonel H. M. Adams today submitted to the chief of engineers the following estimates for the rivers and harbors for the New Orleans district: Mouth and passes of Calcasieu river, Louisiana, \$292,681; mouths of Sabine and Natchez rivers, Texas, \$29,000; harbor at Sabine Pass, Tex., \$1,016,572.

Death Sentence Commuted.

WASHINGTON, July 23.—President Roosevelt has commuted to dishonorable discharge and fifteen years' imprisonment the death sentence of Private Guy Stevenson, Troop M, Ninth cavalry. He was convicted of a contract-killing in Samar, Philippines, of criminal assault.

Malt-Nutrine

Is prescribed by the best physicians as the most helpful tonic obtainable. Malt-Nutrine is condensed nutriment of malt—not a dark beer. It is prepared by the famous Anheuser-Busch Brewing company, which guarantees the purity, excellence and merit claimed for it.

PACIFIC CABLE ENTERPRISE

Will Not in Any Way Be Affected by Death of John W. Mackay.

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Do Not Want Headquarters of Commission Moved from St. Louis to Sioux City.

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The office of the commission, they said, had been located here since its creation, and the river men did not see the wisdom of making such a change.

DEATH RECORD.

A. V. Skillman, Seward. SEWARD, Neb., July 23.—(Special.)—A. V. Skillman died yesterday after being confined to his bed for several months. The funeral will take place this afternoon at 4 o'clock from the family residence. Mr. Skillman was an early settler here and had been in the grocery business for a number of years, but sold out last spring on account of his health. He carried insurance in the Ancient Order of United Workmen lodge, payable to his wife, who survives him.

Dr. Martin Deschere.

NEW YORK, July 23.—Dr. Martin Deschere, one of the best known and most prominent homeopathic specialists on children's diseases in this country, is dead at his home in this city from heart trouble.

Mrs. Elizabeth Chase Ingalls.

ATCHISON, Kan., July 23.—Mrs. Elizabeth Chase Ingalls, mother of the late United States Senator John J. Ingalls of Kansas, is dead at her home at Haverhill, Mass., aged 90 years. Death was unexpected.

Robert J. Vasa, Plattsmouth.

PLATTSMOUTH, Neb., July 23.—(Special.)—Robert J. Vasa, aged 39 years, died at his home in this city this afternoon. Deceased was an attorney and had resided in this city for many years.

HYMENEAL.

Two Marriages at Plattsmouth.

PLATTSMOUTH, Neb., July 23.—(Special.)—Ray Ernest Sawyer and Miss May Miller were married by County Judge J. E. Douglas today. Mr. Sawyer is employed in the Burlington shops here. James M. Hall and Miss Mabel Miller were united in marriage last evening by Judge Archer. The young couple will make their home in Plattsmouth.

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