

NEBRASKA TO TAKE A HAND

Governor Intends to Protect Water Supply in the Platte River.

HOLT HUNTERS DEFEY GAME WARDEN

No Owever Can Be Found for the Button-Making Machines Formerly Used in the State Penitentiary.

(From a Staff Correspondent.)

Lincoln, Aug. 13.—(Special.)—Governor Miley today made plain his intention to take a hand in the litigation now on between Kansas and Colorado over the right of the latter to use all the flow of the Arkansas before it reaches the former state. As Kansas wins he will instruct the attorney general to take steps to protect the Platte river from Colorado greed. Residents along the Platte are experiencing the same distressful conditions from the diversion of the waters of that river for Colorado irrigation enterprises as are those who live in the Arkansas valley in Kansas.

"I was up at North Platte recently," says Governor Miley, "and noted that the Platte river was dry. The people up there told me that it was because the people of Colorado higher up the stream had taken all of the water for irrigation. When I got out to Broad in that state I could see that that statement was literally true."

Governor Miley said that he had read somewhere of a recent decision of some subordinate court which held that the older right is to prevail without regard to the location on the stream, so that an irrigation plant in Nebraska can protect itself from being deprived of the use of the waters of the Platte by a newer one located in Colorado. He believed, however, that the federal government intends to take hold of the control of the distribution of non-navigable waters and administer the equities between the states where there are conflicting rights.

The attention of the governor has been called to the suggestion of the attorney general of Colorado to the effect that the people of that state or those interested in its big irrigation enterprises, ought to buy up all prior rights held in Kansas, and expects to suggest to Attorney General Francis B. Sayre steps to warn the people of this state not to dispose of any rights that may be found prior to those exercised in Colorado to agents of that state or anybody else.

Considerable perplexity exists as to the proper method to be adopted by the government in that state. It is a difficult question of the states to the use of non-navigable streams. The claim advanced by the people of Kansas would seem to preclude the use of the Arkansas waters at all in Colorado irrigation. They claim that the natural flow of the water of that river fertilized the Arkansas valley, and that they have a right to have that flow continued. If the court should sustain that claim, which prominent men in Colorado seem to deem perfectly likely, it would mean that residents along the Platte river are entitled to the full natural flow of the stream for the fertilization of their lands, and this would preclude the taking of any water from the upper river for irrigation purposes, whether on a prior or subsequent right.

Whatever the outcome of the pending litigation between the Jayhawkers and Continental states over their respective water rights may be, Governor Miley is going to hold himself prepared to take advantage of any opportunity it may offer for the benefit of Nebraska.

**Defy the Game Warden.**  
If reports around the state house are true there is an organized revolt in Holt county against the enforcement of the game laws, led by no less distinguished a personage than M. F. Harrington, the well known lawyer and politician. Chief Deputy Game Warden Carter has been flatly advised that it is not going to do him any good to attempt to enforce the closed season up in that neck of the woods, for the rebellious ones declare defiantly that they propose to shoot any game when they please and that it will be impossible to secure a conviction upon any attempted prosecution.

This is the assurance that has been, it is claimed, conveyed to the deputy game warden Mr. Harrington, from former experiences with that gentleman and his clients in efforts to enforce the game laws the representatives of the state are inclined to believe that the O'Neill attorney knows just what he is talking about. It is claimed that Harrington recently met ex-Warden Simpkins, and mistaking him for the present warden, Mr. Carter, warned him to keep out of Holt county and to avoid interfering with the people up that way who like a little pot shooting occasionally and are not particular as to the season.

"I have eaten Grape-Nuts already this year," said Mr. Harrington, referring to course to prairie chickens and also to the closed season, "and I intend to keep on doing so whenever the chance is afforded. We don't care to ship any out of our county, but we have plenty up there for our own use, and we propose to have them without any interference on the part of the game warden. I am ready to defend any man you may have arrested, and I think you will find that you cannot obtain a conviction."

Warden Carter thinks that the people of

Holt county are inclined to do just as Mr. Harrington is said to have threatened that they will do. They propose to keep their own hunting preserves and to brook no interference therewith by the state or anyone else.

Hearing an Owever.

The owner of the forty button-making machines at the penitentiary can have the same by calling for them. The board of public lands and buildings has been trying to find out its identity, but so far without success. The machinery was once the property of Knasper & Sons, but now it is hard to discover just to whom it belongs. That firm retired from the penitentiary labor button business about the first of the year, when all the penitentiary labor was contracted to the Lee Broom Company. The button company was indebted to the state on old labor contracts in the sum of about \$500, but the state settled with it for between \$50 and \$100.

After the retirement of Warden Davis from the penitentiary he became interested in the button concern and sought to compel the state board by mandamus of the supreme court to afford him the labor of some thirty-five convicts to operate the machinery of the factory, which was represented to be very valuable. The court declined to allow the writ and since that time no one has appeared to be anxious to carry away the machinery.

Eppworth Assembly Closed.

The Nebraska Eppworth assembly closed its ten days' session and camp meeting at the New Eppworth camp, with a lecture by Commodore Richard P. Hobson, of Merrimack fame. At the delegate convention the following officers were elected: President—L. O. Jones, Lincoln. Vice President—Stanley, Lincoln. Corresponding Secretary—Elmer E. Lesh, Lincoln. Recording Secretary—Miss Gertrude King, York. Treasurer—R. W. Kelley, Nebraska City. Junior League Superintendent—Mrs. Annie M. Giddens, Lincoln. Secretary—Miss Ethel S. Simmons, University Place. Secretary Christian Citizenship—R. A. Barnes, Lincoln.

The assembly has been a big financial success as well as in other ways. The attendance was 40 per cent greater than last year. The assembly has purchased a tract of land here and it will be a permanent thing in Lincoln.

Hard on Hall Companies.

In the opinion of the insurance department of the auditors' offices the hall companies that have devastated Nebraska will knock out four, and possibly five, of the six mutual hall insurance companies doing business in the state. Within the past month heavy storms have visited York, Polk, Seward, Adams, Dawes and contiguous counties and inflicted great damage.

Commissioner Pierce is in receipt of word from South Dakota that Miller, Barrows and Glider, who organized and exploited a hall insurance company in Omaha several years ago, which went to pieces leaving \$50,000 unaccounted for, are leaving pretty roughly. Early in the present month Judge Amidon of Fargo, before whom they had been tried and convicted of fraudulently obtaining money from the policyholders, ordered a writ of habeas corpus issued to release them. The writ was granted and they were released on bail for \$100,000 each. They are now in the state penitentiary at Lincoln, where they are serving terms of one to two years each. This is probably the first time that they have been heard from in this state since they effected their rich clean-up here and escaped to Kansas, where they started another so-called "enterprise."

Rifles for Guardsmen.

Adjutant General Culver has received notice that something over 4,300 improved rifles are to be sent to Lincoln tomorrow. The number sent by the government is based upon the enlisted strength of the Nebraska National Guard as shown by the recent inspections by Captains Kreps and Cronin, which showed the complete strength of the guard. The signal corps of the guard had already been supplied with the new arms, and the number that will be received tomorrow will very nearly equal the two regiments. The adjutant general thinks that there will be no trouble experienced in securing in some way guns enough to fully equip the guards within a short time.

The Boston Investment company has filed an amendment to its articles of incorporation by means of which it is enabled to establish a branch office in Omaha, the main office being in Lincoln. The chief stockholder in this company is C. E. Perkins of the Burlington, and associated with him are T. E. Calvert, general superintendent of the state, and C. J. Ernst, recently made treasurer of the company. It is the recent removal of the latter from this city to Omaha that has prompted the change.

No Trace of Wardlaw.

Wardlaw, the escaped state prisoner who was missed from his bench at the penitentiary Tuesday evening, has not yet been found and Warden Beemer has about given up the thought that he may be hidden somewhere within the walls. The entire force of guards has spent two evenings peering through the grounds, in the tunnels for hot air pipes and sewers, under the floors of the shops, under piles of broom-cans, into boxes of the machinery and the many other places in which a man might hide if given an opportunity. It is now believed that Wardlaw nailed a four-inch strip of board across the bottom of two

EXPRESS SAFE IS ROBBED

One Thousand Dollars Taken from Office in Kearney Depot.

SUPERINTENDENT IS INVESTIGATING

Both the Officials and Employees of Company Refuse to Talk or Give Any Particulars of the Affair.

PRESENT CASE OF KEARNEY

Midway City Makes Strong Showing for Location of Normal School.

KEARNEY, Neb., Aug. 13.—(Special Telegram.)—The State Educational board was in Kearney yesterday afternoon viewing the location proposed for the new western normal school. The party was taken to the west part of the city and inspected the grounds, also the green terrace proposed for the school, also the power plant and principal school buildings. In the evening a reception and banquet was tendered the board. At the conclusion of the banquet E. C. Calkins took charge as toastmaster and introduced John Dryden, who made an argument in favor of the school being located here. Prof. A. O. Thomas, speaking as an educator, gave some interesting figures applying to the population within a radius of 100 miles of Kearney. The population of the state is 1,006,300; population within the radius named, 35,811; school population of the state, 375,240; within the radius, 120,261; teachers in the state, 9,160; within the radius, 3,455.

The claims of the North Platte section were demonstrated. Professor Thomas, giving the population of the South Platte section as 492,620, and the North Platte section as 573,680. Notwithstanding the larger population north, the section south has eleven state institutions and the north section only four. And other figures were used, all in the same line, showing inconceivable the wisdom and justice of locating the new school north of the Platte river. To this was added a table of distances by rail from important points, Sidney, 214 miles; Ord, 194; Columbus, 165; Broken Bow, 122; Aurora, 81; Sutton, 69; Red Cloud, 81; Fairbury, 145; Grant, 135. From these points the highest fare is \$4.25, the lowest \$1.25, an average of \$2.75. Kearney is reached from a majority of these points at noon, starting the same morning, a few at 4 p. m., and very few at 10:30 p. m., making nearly all arrivals in daylight. The educational plea was equally strong and was listened to with close attention by the members of the board.

President Rogers, Secretary Fowler and Majors Ludden, Dalzell and Tawney of the board also made responses suited to the occasion. The board left for Lexington after the banquet.

LEXINGTON, Neb., Aug. 13.—(Special Telegram.)—The State Board of Education arrived here last night and today was taken in charge by the committee of citizens and shown the several proposed sites for the normal school. The committee selected all within a radius of one mile from the center of the city, the acreage varying from twenty acres, the lowest, to seventy acres, the largest. At 11 o'clock a luncheon was served at the Commercial hotel, Hon. George B. Darr acting as toastmaster. Responses were made to toasts by Hon. George C. Gillan and Hon. H. O. Smith, the latter being undersecretary of the State Board of Irrigation, who explained the system of drainage that was being put in operation in this city. The afternoon members of the board were driven out to Ballinger's sheep ranch and other places of interest and on their return were tendered a reception at Temple hall. They expressed themselves as highly pleased with Lexington and its surroundings. They left at 4:30 p. m. for Gothenburg.

Lightning Burns Barn.

TECUMSEH, Neb., Aug. 13.—(Special.)—During the electrical storm here yesterday the barn on Mrs. Ellen Murphy's farm, seven miles west of town, was struck by lightning. The hired man was in the barn unfastening his team and both horses were struck and killed. The man was knocked unconscious, but not injured. The barn and contents were burned. Loss on barn, \$800; insurance, \$500. Loss on contents, \$400, fully insured. A school house in the Warner district was struck and the chimney demolished. The rainfall here was 1.10 inches. The Woodman's picnic at Cook was postponed until September 1. Hundreds of people from over the county were caught in the rain at the picnic grounds.

Rain Delays Threshing.

EDGAR, Neb., Aug. 13.—(Special.)—The weather is very wet, and wheat in shock is being badly damaged and threshing greatly delayed. The heaviest rainstorm in the recollection of the oldest citizen occurred here yesterday morning from 5:30 to 9 o'clock, during which time about one and a half inches of rain fell, accompanied by very sharp and vivid lightning and heavy thunder. There has now been nine and a half inches of rain since July 5.

Scarlet Fever Closes Schools.

BEATRICE, Neb., Aug. 13.—(Special.)—The German school twelve miles north-east of this city, in Danover township, has had to be closed on account of the prevalence of scarlet fever in a malignant form.

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KEARNEY, Neb., Aug. 13.—(Special Telegram.)—The safe of the Pacific Express company, located in the baggage room of the Union passenger depot at this place, was robbed last night of \$1,000 in packages containing \$1,000 taken. The young man having charge of the company's interests on that night has been suspended from duty pending an investigation. No clue that would point to the guilt of anyone in the city has been obtained. Superintendent Patterson of Omaha came up Wednesday night and has been quietly conducting an investigation today. When interviewed he would have nothing to say on the matter further than he did not want it to become public as it might detract from the chance of locating the guilty one. Superintendent Patterson of Omaha came up Wednesday night and has been quietly conducting an investigation today. When interviewed he would have nothing to say on the matter further than he did not want it to become public as it might detract from the chance of locating the guilty one. Superintendent Patterson of Omaha came up Wednesday night and has been quietly conducting an investigation today. When interviewed he would have nothing to say on the matter further than he did not want it to become public as it might detract from the chance of locating the guilty one.

COUNTY TICKETS IN THE FIELD

Frontier and Dakota County Republicans Hold Their Annual Conventions.

STOCKVILLE, Neb., Aug. 13.—(Special.)

—The Frontier county republican convention was held at Stockville yesterday. Twenty-one out of the twenty-six precincts were represented. The following ticket was nominated: E. D. Brown, treasurer; E. C. Gamble, county clerk; C. Gammill, clerk of the district court; Clara L. Dobson, superintendent; I. A. Adams, sheriff; J. A. Williams, county judge; H. C. Rogers, surveyor; John Minnick, assessor; Jacob Rick, county commissioner. Responses were made to toasts by Hon. George C. Gillan and Hon. H. O. Smith, the latter being undersecretary of the State Board of Irrigation, who explained the system of drainage that was being put in operation in this city. The afternoon members of the board were driven out to Ballinger's sheep ranch and other places of interest and on their return were tendered a reception at Temple hall. They expressed themselves as highly pleased with Lexington and its surroundings. They left at 4:30 p. m. for Gothenburg.

DAKOTA CITY, Neb., Aug. 13.—(Special.)

—The republican county convention for the purpose of selecting delegates to the state and judicial conventions was held in this place today. John Daley was chairman and T. D. Curtis secretary. The following delegates were selected: State: C. J. O'Connor, T. D. Curtis, I. T. Everett, H. O. Dorn, John Daley, J. W. Halsgrove and R. E. Evans. Judicial: T. C. Baird, F. S. Macomber, J. J. Enness, James G. Flynn, R. H. Myers, Bert Chubb, Charles Maxwell. C. H. Maxwell was elected chairman and Melitt Schmitt secretary of the county central committee for the ensuing year.

GREELEY CENTER, Neb., Aug. 13.—(Special Telegram.)

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AGED MAN SEARCHING FOR SONS.

PLATTSMOUTH, Neb., Aug. 13.—(Special.)—Valentine Tonyack of Bola, Ill., has arrived in this county in search of his sons—Thomas, Antone and Mike—who, he believes, reside in this part of the state. He is 86 years of age, and is in destitute circumstances, and is caring for him and assisting him in his efforts to find his sons.

CASS COUNTY LAND IN DEMAND.

PLATTSMOUTH, Neb., Aug. 13.—(Special.)—Cass county land is being much sought for, and when sold brings a high price. Harvey Beaver has sold eighty acres to G. L. Berger, the consideration being \$500, or \$70 per acre. Fred Shavey has just sold his 160-acre farm to Mrs. Torner for the sum of \$1,200, or \$7.50 per acre.

SEVERE STORM AT BEATRICE.

BEATRICE, Neb., Aug. 13.—(Special.)—A severe wind, rain and electrical storm swept over this section yesterday. Some hail fell, but not enough to do any damage to crops. The past few days have been very unfavorable for corn, on account of the cool weather.

WHAT THEY DEMAND.

Headache, liver complaints, bowel disorders demand Dr. King's New Life Pills. They are gentle, but cure or no pay. 25¢ For sale by Kuhn & Co.

FORECAST OF THE WEATHER

Showers Today in Nebraska and Western Iowa, Becoming Cooler.

WASHINGTON, Aug. 13.—Forecast: Nebraska: Showers Friday, cooler in western portion; Saturday fair, cooler. Iowa: Partly cloudy Friday, showers in west portion, cooler in northwest and warmer in east portion; Saturday, showers and cooler. Illinois: Partly cloudy Friday, warmer except in extreme northeast portion; Saturday, partly cloudy, probably showers, cooler, fresh southeast winds. Colorado: Fair in west, showers and cooler in eastern portion. South Dakota: Showers and cooler Friday; Saturday, fair. Montana: Partly cloudy and cooler Friday, with showers in east and southern portions; Saturday, fair. Kansas: Fair Friday, showers and cooler at night or Saturday. Missouri: Fair, warmer Friday; Saturday, partly cloudy, probably showers and cooler. Local Record.

OFFICE OF THE WEATHER BUREAU, OMAHA, AUG. 13.—Official record of temperature and precipitation compared with the corresponding day of the last three years.

Table with 4 columns: Year, Maximum temperature, Minimum temperature, Precipitation. Rows for 1901, 1902, 1903.

REPORTS FROM STATIONS AT 7 P. M.

Table with 2 columns: Station Name, Temperature at 7 P. M. Rows for Omaha, Valentine, York, etc.

CONDITION OF THE WEATHER.

Table with 2 columns: Station Name, Condition. Rows for Omaha, Valentine, York, etc.

GOES THROUGH A BRIDGE

Texas Express on Rock Island Wrecked Near McFarland, Kansas.

FIREMAN IS ONLY PERSON KILLED

Terrific Rainstorm Which Assumes Proportions of a Cloudburst Makes Torrent of a Creek Usually Dry.

TOPEKA, Kan., Aug. 13.—The engine, mail and baggage cars of the Texas express on the Rock Island, which leaves Topeka at midnight, went through a bridge across Hendricks creek near Alma at 1:30 this morning, killing fireman John Leygett of McFarland, Kan., injuring Engineer John McEwen of Kansas City. The baggage men and express men jumped when the shock came and were swept by the waters, on tree tops, from whence they were rescued at daylight by a fisherman named William Graves. Graves also found the engineer unconscious on the Rock Island, which leaves Topeka at midnight, went through a bridge across Hendricks creek near Alma at 1:30 this morning, killing fireman John Leygett of McFarland, Kan., injuring Engineer John McEwen of Kansas City. The baggage men and express men jumped when the shock came and were swept by the waters, on tree tops, from whence they were rescued at daylight by a fisherman named William Graves. 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