

JAIL FOR LAND MEN

County Prison Terms and Fines Imposed by Judge W. H. Munger.

RICHARDS AND COMSTOCK GET HEAVIEST

One Year and Fifteen Hundred Dollars Each in Their Sentence.

FIVE HUNDRED AND EIGHT MONTHS OTHERS

Charles C. Jameson and Aquilla Triplett Fall Heir to This Fate.

ALL GIVE NOTICE OF APPEALING CASE

Most Important of Land Fraud Prosecutions, in Course of Which Two Federal Officers Lose Positions.

Judge W. H. Munger overruled the motion for a new trial in the cases of Bartlett Richards, Will G. Comstock, Charles C. Jameson and Aquilla Triplett in the United States district court Monday morning and sentenced the accused as follows: Bartlett Richards, a fine of \$1,500 and one year in the Douglas county jail; Will G. Comstock, \$1,500 fine and one year in the Douglas county jail, and Charles C. Jameson and Aquilla Triplett, \$500 fine and eight months each in the Douglas county jail.

The attorneys for the defendants at once gave notice that they would file a petition in error, which is equivalent to an appeal to the United States circuit court of appeals for the Eighth circuit.

The appeal bond was once fixed at \$5,000 in the case of each defendant, which was promptly given.

Judge Talks Briefly. The preliminary remarks by Judge Munger before passing sentence were very brief and dwelt upon the questions raised by the attorneys for the defendants relative to the empanelling of the jury and the character of the evidence produced during the trial.

"The question was formally asked of each juror regarding his knowledge of the law," said Judge Munger, "but there was no error in that. The question of the empanelling of the jury and the intention of the jury was fully gone over in the evidence, and the fact that it was the intention to secure honest jurors who had served longest bore out a possible understanding as to the ultimate result of the trial. For these reasons the motion for a new trial is overruled and the defendants are given the usual exceptions."

All the defendants and their attorneys were in the court room when the decision was handed down. Among other spectators were Thomas M. Huntington and T. B. Ford and several of the attorneys for other land and cattlemen who have cases pending before the court.

Judge Munger then asked the defendants if they had anything to say as to why sentence should not be passed.

Comstock Makes a Speech. Will G. Comstock arose and, approaching the bar, said in a clear and distinct voice: "It is possible at this time properly to explain my position in these matters, and I am acting under the advice of my attorney, who not only stands high in his profession, but, possibly by reason of his familiarity with the practice and customs of the land office, is more capable to give an opinion on the United States land laws than any man in the state. His advice was that we were not only clearly within our legal right, but also our moral right, as having prevailed in the Interior department for the last thirty years at least. This opinion of his was corroborated by action in the Pearson case. In this case an investigation was made by a special agent of the government in an affidavit obtained showing the exact parallel condition to this case, in which we have been recently tried, and the Interior department acting as we did in this case, under the official direction of Secretary Hitchcock, immediately ordered a patent issued for the land."

Felt He Was Doing Right. "Relying on this opinion from two different sources, I felt that I was doing nothing but what was clearly within my rights, and I am acting under the further thought from my mind was that in any of these transactions I was disobeying the laws of my country. For we feel that we have a right to depend upon our legal advisers, as well as the Interior department itself. It has been my desire to do so, but when my allotted time should come people would say that I had always tried to be fair and just and do what was right. You, the judge of this court, in carrying out your duty, cannot inflict a punishment that will cause me to feel more deeply the humiliation, and this brought about my present position. I would especially ask for your leniency because one of the defendants, Mr. Jameson, who is not a free agent in these matters, simply a subordinate, but doing what he believed was right, knowing and relying upon the opinions of a man of my acquaintance has a greater sense of honor and integrity than I have."

Judge Critic Adds a Word. After Mr. Comstock had concluded Judge A. W. Critch of counsel for the defense said: "Your honor, I wish to corroborate all that Mr. Comstock has said. It has been the practice in this country for more than twenty-five years to acquire land in the general method with which the defendants are charged. I know this to be a fact from many years' residence in that section and as a former land official. This practice has been observed with the knowledge and approval of high officials and with the approval of the government. I have known these leading defendants for many years and their people before them and have been associated with them in a business way for many years. No man can be farther from the intent of wrong-doing. These practices having been tolerated for many years by the Interior department, these defendants supposed they were doing right. The case referred to by Mr. Comstock is identical in character with that of which these defendants are charged, and it is known by all men that these decisions have been accepted as the basis of the land laws. We cannot attack the verdict of the jury because your honor will not permit it. All these defendants wanted to know was what the law and how to obey it."

Most Famous of the Land Cases. Public attention has been attracted to this case (Continued on Second Page.)

SUMMARY OF THE BEE

Tuesday, March 19, 1907.

1907	MARCH	1907
SUN	MON	TUE
3	4	5
10	11	12
17	18	19
24	25	26
31		

FORECAST FOR IOWA—Rain Tuesday and warmer in east and central portions. Wednesday fair and colder.

Temperature at Omaha yesterday:

Hour	Temp.	Hour	Temp.
5 A. M.	33	1 P. M.	46
6 A. M.	33	2 P. M.	46
7 A. M.	33	3 P. M.	49
8 A. M.	33	4 P. M.	49
9 A. M.	33	5 P. M.	41
10 A. M.	33	6 P. M.	33
11 A. M.	33	7 P. M.	25
12 M.	33	8 P. M.	17

LEGISLATIVE

The house at Lincoln passed the state-wide open primary bill by a vote of 73 to 14, with thirteen members absent.

Page 1

Lee's bill for the annexation of south Omaha by Omaha passed the house at Lincoln.

Page 1

The senate at Lincoln in committee of the whole divides twice on the maximum rate bill, the vote resulting in a tie each time. The bill was put over for further consideration at a future date.

Page 1

Passion members of Nebraska legislature hold caucus on terminal tax bill, but no definite action was taken. It is evident, however, Tom Allen will be unable to hold them in line for the railroads.

Page 1

Figures published in Lincoln papers, purporting to exhibit workings of terminal taxation, shown to be misleading because only part of facts are stated. True condition is directly opposite the expert's published conclusions.

Page 1

Prices drop on Wall street and bankers declare they do not want sudden recovery as on Saturday.

Page 1

Arguments in the Thaw case will begin Wednesday and a verdict is expected by Friday night. The Hummel affidavit is read in full to the jury. It contradicts testimony of the lawyer concerning it.

Page 4

The Ohio river is rising at Cincinnati, but may not reach exceptional stage.

Page 1

Vice President Fairbanks makes speeches at Chicago, speaking to students, newspaper men and an Irish society.

Page 3

Several ships are ashore off British coast and two, the Suevic and Jebba, are total losses. Passengers and crew are saved.

Page 1

Two theories exist as to cause of explosion on French wharfship fens, one holding disoriented sailors responsible and other claiming electricity from wireless telegraph caused accident.

Page 1

Frank Hanzelk, aged 15, is shot by Andrew Causen, near Niobrara, while playing soldiers.

Page 3

Extra Burlington freight crashes into a pile driver in Tecumseh yards.

Page 3

John Burger, who struck boys for whistling and threatened to shoot persons making a noise near his room, is adjudged insane at Fremont.

Page 3

John Wyman, Seward county farmer, starts to buy a horse and drops out of sight.

Page 3

Broken Bow men organize The Broken Bow and Western Railroad company, and citizens give enthusiastic support.

Page 3

Stockmen refusing to pay grazing fees are warned they may be denied privileges on the forest reserve.

Page 2

Fred Dennett of North Dakota is appointed assistant commissioner of the general land office.

Page 2

"America for Christ" is the slogan of the convention of the Northwest division of the Board of Home Missions and Church Extension which opened yesterday afternoon at the First church, attended by dignitaries of the church.

Page 1

Judge W. H. Munger of federal court sentenced Bartlett Richards and W. G. Comstock to fine of \$1,500 and year in Douglas county jail; Aquilla Triplett and C. C. Jameson, \$500 fine and eight months for conspiracy to defraud government out of nearly 600,000 acres of public land. Appeal will be filed.

Page 1

Omaha ranks third as primary grain market of the world, outranking Kansas City and outranked only by Chicago and St. Louis.

Page 7

Fight for presidency of American Bowling congress between R. H. Bryson and Garry Hermann is waxing warm. Vandersdyke of Chicago makes highest individual score of tournament so far.

Page 4

Base ball commission at request of Washington American team re-open case of Catcher Starnagle, who is reclaimed by Lincoln Western league club.

Page 4

17 Replies

This is the ad:

4-ROOM apartment, strictly modern, to man and wife; private porch; in real estate owner. Address E 823, care Bee.

(15)—349411x

It ran once.

It cost only a few cents.

Wouldn't YOU spend a

quarter to rent your house

or rooms or fill a want about

which you have been worry-

ing?

Bring the ad to THE BEE

office, 17th and Farnam, or

take it to the nearest drug

store.

Within Everybody's Reach.

Reaches Everybody.

AMERICA FOR JESUS CHRIST

Slogan First Convention Northwest Division Methodist Home Mission Board.

OMAHA IS THE BASE OF NEW CAMPAIGN

Dignitaries of Church Gather in This City to Give Good Start to Militant Movement of Extension Work.

"America for Christ" is the theme of the first convention of the northwest division of the Board of Home Missions and Church Extension, the Methodist Episcopal church. The sessions opened Monday afternoon at the First church with a splendid program and a good attendance of church dignitaries and representatives from this section, and among interesting program was given at the same place last evening. The convention will last today, with sessions morning, afternoon and evening. The public is invited to these meetings, where it will be given an opportunity to hear some of the best speakers of the Methodist church.

By recent action of the commission on consolidation of the boards of administration of the benevolent work of the Methodist church have been reduced in number and reorganized. The convention besides arousing enthusiasm in the work of spreading the gospel in the United States, will explain how the changes affect the success of the church in the United States and territories and also how it affects the contributions.

Rev. William Gorst, presiding elder of this conference, presided at the afternoon session, and W. F. Harford in the evening. After quiet dinner with Rev. D. W. McGregor as leader, Dr. Gorst gave the address of welcome. Rev. G. W. Isham was unable to be present and his paper will be read later in the convention.

Dr. Gorst Strikes Keynote. Dr. Gorst said he believed the keynote for home mission and church extension is "America for Christ," and is an important battle cry before the church. He put special emphasis on the tremendous responsibility it is to face and convince the foreign people coming to America. He also spoke of the problem to maintain these extensions. The home mission and church extension work is a great and noble work, and the church must be ready to meet the challenge. He further spoke of the hundreds and thousands of dollars which have been appropriated among the native people in every state and territory in the union for evangelistic and church building purposes and also the provisions made for reaching the non-Bible speaking races that are playing such a conspicuous part in the western domain. Dr. Gorst emphasized the fact that the Methodist Episcopal church has always been the church of home missionaries above all other denominations.

Dr. George Elliott Speaks. Dr. George Elliott of Chicago, general secretary of home mission and church extension work, was not on the program for Monday afternoon, but was called upon by the chairman, and said:

"The justification of the church in the reorganization of the mission work is apparent. The church has been hardly been aware of the work done, but it is now being brought to the vision of the church. Most money raised for missionary work has been raised on the strength of the appeals made for foreign missions. No church as a necessary home missionary organization for reaching the non-Bible speaking races, and yet half has been spent at home. The time has come for the declaration of a holy war, for the complete evangelization of America. We have only been playing at the work of home missions. No church as a necessary home missionary organization for reaching the non-Bible speaking races, and yet half has been spent at home. The time has come for the declaration of a holy war, for the complete evangelization of America. We have only been playing at the work of home missions. 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