WILLEY FOUND NOT GUILTY

Judge, However, Gives Him Lecture on His Habits of Life.

EXPRESS COMPANY IS MULCTED

Damages Awarded for Error in the Transmission of Money to Europe to Complete a Horse Deal.

(From a Staff Correspondent.)

LINCOLN, Dec. 17.—(Special.)—After deliberating for sixteen hours the jury in the murder trial of Wilson Alonzo Willey shortly after 10 o'clock this morning brought in a verdict of not guilty. As soon as the verdict was read Judge Frost called Willey to the bar and after administering a brief lecture discharged him. The judge stated that while he did not wish to be understood as criticising the verdict he wanted the defendant to understand that he did not consider him entirely blameless. If he had not been drinking and visiting sporting houses he would not have gotten into trouble and he hoped that this experience would prove a lesson to him; that in the future he would refrain from drinking and visiting such places. Willey assured Judge Frost that his advice would be followed.

Damage Claim Scaled.

The $15,000 damage suit of Watson, Woods Bros. & Kelly, a local horse importing firm, against the American Express company was settled and dismissed in federal court this morning, settlement being made for $2,000. Judge Munger entered a formal judgment for this amount on the docket. The trial of the case was set for the next term of court.

The plaintiffs claimed they sustained $15,764 damages by reason of an error of the defendant in the transmission of a money order to Antwerp, Belgium, in November, 1906. It was alleged that instead of ordering the payment of 80,000 francs to be paid to the agent of the London firm at Antwerp only 8,000 francs were telegraphed.

It was contended that the failure of the express corporation to order the proper amount paid the plaintiffs lost them a considerable sum of money. It was declared that the agent of the plaintiffs, Joseph Watson, had bought a certain number of horses at a big sale which occurred in the land of the Belgians, and because he did not have cash enough to pay for them he was compelled to keep them at a great expense till the right sum arrived from America. Besides the horses did not arrive at Lincoln in time for a sale that was pulled off on December 2 and $5,000 was lost in this way. Other losses claimed were because the plaintiffs were compelled to hold many of the animals much longer after they were received, when they could have been disposed of at once at advantageous figures.

The defendant disclaimed liability and laid the blame for the alleged error on the cable company which transmitted the message to Belgium. It was declared that it received no consideration for the sending of this message otherwise than the simple exchange allowed it.

Street Railway Wins.

The supreme court this afternoon decided the injunction case brought by Mrs. Beatrice Guild Ayers against the Citizens Street Railway company in favor of the defendant. Mrs. Ayers lives on Twenty-ninth street, and sought to enjoin the company from running down the street in front of her premises. She alleged that it would damage her in various ways, hindering her in getting in and out of her property and annoy her by the noises incident to its running.

The court says that the evidence does not show that any poles were put up in front of her property and that the noise of the cars will not annoy her any differently than it will other residents. It holds that it is essential to the right of an individual to injunctive relief against a public nuisance that she has suffered, or will suffer special injury other than what the general public shares, that the difference must be of a kind and merely in degree. This case originally involved the franchise right of the company, but that was passed on in another case last year.

On the same theory of law Frank H. Woods loses his injunction suit against the Lincoln Traction company, because it insisted on running cars around and in front of his property at Ninth and Q streets. The traction company, must, however, pay the costs incurred in the lower court, because it had not complied with the ordinance before proceeding to exercise its colorable right to lay its tracks there.

Hyers Appointment Pleases.

The reappointment and confirmation of Gus Hyers as postmaster at Havelock has pleased the people of the shop town and there is accordingly great rejoicing. A patron of the office who wrote Congressman Pollard, in the interest of Mr. Hyers, received a letter today from the congressman in which he said, in speaking of Hyers: "He has not only been a good friend of mine, but his record in the department is not excelled by any postmaster in the United States."

Mr. Hyers had no opposition when he sent in his name for reappointment.

OPERATION OF LAW IS BLOCKED

Man Marries Principal Witness Against Him in Criminal Case.

HASTINGS, Neb., Dec. 17.—(Special Telegram.)—An elopement that not only was a complete surprise to the friends of the couple, but a clever ruse to defeat the operation of the law, was disclosed today in a letter from the chief of police of Grand Island. Golden Colby and Miss Laura Carson of Grand Island were married by Judge Button here last Friday. Today Judge Button was informed by the Grand Island chief that a charge of stealing a pocketbook from Miss Carson is pending against Colby. "Now Colby has stolen the girl's heart, too," wrote the Grand Island chief. "As she is his wife now of course she can't testify against him. I guess we're stung."

Stolen Horses Recovered.

PLATTSMOUTH, Neb., Dec. 17.—(Special.)—Charles Williams, who hired a team and buggy from the livery barn of A. R. Jones in Pacific Junction, Ia., about five miles east of Plattsmouth, on November 15, and neglected to return them, is now in jail in Skidmore, Mo., with probably several terms in the penitentiary staring him in the face. Sheriff Linville sent out many postal cards giving a description of Williams, and one to his cousin, W. R. Linville, cashier of a bank in Skidmore. Saturday Williams sold a horse in Skidmore and the purchaser gave a check in payment, but told the cashier that he believed the horse had been stolen. Williams answered the description given on the card and he was arrested and placed in jail and has since been identified by the man from whom he secured the outfit in Pacific Junction.

H. D. Perry, a Everyman from Dearborn, Mo., has also identified Williams as the man who stole a team from him on December 3.

Colonel Frank Jackson of Glenwood, Ia., bought a sorrel horse from Williams about two months ago and paid him $40 for the animal, which he has since learned was one of a team stolen from C. H. Yount of Bigelow, Mo., on August 5, and the owner will soon go and get his horse.

One interesting document found on the person of Williams was a pass for Mr. and Mrs. Charles Williams over the Great Northern railroad.

PLANNING FOR A NEW RAILROAD

Given Out Hastings-Kearney Cut-Off is a Sure Go.

HASTINGS, Neb., Dec. 17.—(Special Telegram.)—It is announced by persons closely connected with the management of the St. Joseph & Grand Island railroad that plans have been perfected for building the proposed Hastings-Kearney cutoff next year. The surveys were made two years ago and probably the building would have been done this year if the panic of last fall had not occurred. A new depot for Hastings is also promised.

Narrow Escape of H. P. Dixon.

NEBRASKA CITY, Neb., Dec. 17.—(Special.)—H. P. Dixon narrowly escaped death in the Missouri river yesterday while fishing through the ice. Mr. Dixon weighs 250 pounds and the ice was not as thick as he thought. Before he realized it the ice gave way and he felt himself sinking. The water was not deep, so he felt confident that he could wade and break his way through the ice to the shore, after his feet touched bottom. He did not find firm footing, but began to sing deeper and deeper, and he soon realized that he was in quicksand and he began to yell lustily for help, which was not near. He remained there nearly half an hour before he spied a friend coming down the banks of the old bed of the river and he soon made him understand his predicament. The friend had to go to a nearby house for a rope and some timbers to enable him to get Mr. Dixon out, and when he got back, Mr. Dixon's chin and mouth were under water.

Nebraska News Notes.

BEATRICE—Five of the leading grocers of Beatrice, the Klein Mercantile company, W. W. Duncan, F. A. Miller, Emil Lang estate and Keystone Cash grocery, have accepted a proposition submitted to them by H. W. Hill, proprietor of the Beatrice Transfer company, to do all of their city and surban delivery of goods. This new system will go into effect January 1.

BEATRICE—At a regular meeting of the city council at Wymore last night an ordinance was introduced providing for a license on all amusement resorts. Moving picture shows are to pay a license of $1 for the first performance and 50 cents for each subsequent performance; skating rinks 50 cents per night, and performances in the opera house $3 per night. The Woman's Christian Temperance union filed a protest with the mayor and city council relative to beer signs and other liquor advertisements on the streets and asked that they be removed at once. No action was taken.

BEATRICE—Merritt Kelley of Oketo, Kan., and Miss Lulu Maud Holliday were married yesterday at noon at the home of the bride's parents, Mr. and Mrs. Homer Holliday, in Sicily township, Rev. J. A. Smith officiating. Mr. and Mrs. Kelley will make their home at Oketo, where the former is engaged in business.

BEATRICE—John Stevens, living eight miles northeast of Pickrell, yesterday fell from a wagon and dislocated his arm while enroute to town with a load of hogs.

BEATRICE—Superintendent Brown and a number of other officials of the Rock Island passed through the city yesterday enroute to Horton and other towns on the Kansas division.

BEATRICE—The marriage of George H. Zimmerman and Miss Isabelle Bartlett was solemnized yesterday at the home of the bride's parents, Mr. and Mrs. Edward Bartlett, six miles west of the city, Rev. Bankson of Ellis officiating. About thirty-five guests witnessed the ceremony, after which a wedding dinner was served. After a trip to Kansas Mr. and Mrs. Zimmerman will make their home on a farm two miles northwest of Ellis.

BEATRICE—Supervisor George Campbell, who assisted Sheriff Churnside of Fairbury in rounding up the four men charged with robbing several stores at Steele City and Diller, yesterday, while in Fairbury, secured a full confession from "Bish" Polak. Polak admitted that he, in company with Frank Sanders, Frank Williams and James Bushnell, robbed the stores and removed the goods to Wymore for the purpose of disposing of them. The four men are in jail at Fairbury, and as they have practically pleaded guilty, they will probably be sentenced to the penitentiary at the next sitting of the district court.

BEATRICE—Beatrice court No. 24, Tribe of Ben Hur, met last night and elected these officers: Henry Rogers, chief; Ralph C. Lenz, judge; Dora A. Phillips, teacher; Shirley Wright, scribe; Walter H. Korn, keeper of tribute; Rosa L. De Haven, captain; Ada M. Klassen, guide; Edna G. Hammond, keeper of inner gate; Harry H. Wilson, keeper of outer gate.

PLATTSMOUTH—The creditors of George L. Farley will meet with Charles G. McDonald, the referee in bankruptcy, in Omaha, Friday, and will probably ask to have J. E. Douglas, who has had charge of the Plattsmouth Evening News for several months, appointed receiver of the plant.

PLATTSMOUTH—William Wilson Slater started a fire in the furnace of the First Methodist Episcopal church in this city last evening and rung the bell at 7 o'clock. Soon after he was found lying across one of the doorways unconscious. A physician was summoned, but he died within a few moments without saying a word. He was born in Waterville, Vt., April 29, 1846, and enlisted in Company I, Second Vermont infantry, when 18 years old and served during the civil war. He was united in marriage to Miss Flora Leach in Fletcher, Vt., on December 26, 1867, and they came to Nebraska in 1885, where they have since resided. He was employed in the Burlington supply department for seventeen years and was city marshal for three years and a member of the city council for six years. He is survived by a wife, one adopted son and four sisters, he being one of ten children.

PLATTSMOUTH—Word has been received in this city that H. M. Plummer, president of the Plattsmouth Water company, died at his home in Rochester, N. H., on December 2.

ALBION—The adjourned October term of the district court convened Monday, with Judge J. R. Hanna presiding. The case of Kramer against Weigand, wherein the plaintiff, an unmarried woman, claims the defendant, a married man, is the father of her child, is being heard. Many citizens of Petersburg, the place from which this action comes, are in attendance at court.

ALBION—Never in the history of Albion has there been as large a quantity of corn delivered at this season of the year as has been marketed this year. From early dawn to dusk long lines of teams can be seen coming to town with large loads of 20-cent corn. Not less than $25,000 per week is now being paid out by the local grain merchants to the farmers of this locality.

ALBION—An election has been called for January 5 for the purpose of voting bonds for a city lighting and heating plant.

OSCEOLA—The women of the Presbyterian church held a bazar Wednesday afternoon and evening which proved the event of its kind for this season. Many articles were sold which had been made by members of the society and during the evening supper was served. The total net proceeds of the affair was $147.

ST. PAUL—An accident, with probable fatal results, occurred in the town of Farwell, eight miles west of here, yesterday evening. While John Ambrox, a farmer, was leaving town his team became unmanageable and, running across the railroad track at high speed, the wagon box was thrown off and the driver thrown violently against the rails, fracturing his skull. Mr. Ambrox was still alive at noon today, but the prospects for his recovery are very slight.

M'COOK—Conductor George H. Pearce of this city has been appointed trainmaster at McCook, succeeding W. M. Weidenhamer, appointed superintendent at Sterling, Colo., for the Burlington.

M'COOK—Judge Orr today sentenced J. H. Dwyer of this city to six years in the state penitentiary for an attempted assault. Dwyer was convicted at the present term of district court and was denied a motion for a new trial.

M'COOK—A three weeks' term of district court will close for Red Willow county in this city Saturday. Judge Orr goes from here, next Tuesday, to hold court for Judge H. S. Dungan of Hastings in Minden, Kearney county.

NEBRASKA CITY—Ora Schoonover was arrested yesterday on a warrant sworn out by James Lane of Nehawka, charging him with taking $50 belonging to Lane from his person while he was under the influence of liquor. Schoonover is in jail not being able to give $500 bail. His case will come up for hearing tomorrow. The prisoner is a brother of the former chief of police.

NEBRASKA CITY—The Great Western fire company held its annual election last evening and elected the following officers: Foreman, William Fischer; assistant foreman, Thomas Kastner; secretary, H. H. Bartling; treasurer, S. H. Fields; trustee, Frank H. Fields; delegates to the state convention, Horace Kuwitzky and Al Johnson; alternates, William Fischer and Thomas Kastner. Nebraska City fire company No. 1 elected Peter Dillman and Clark Dickson as delegates.

NEBRASKA CITY—Lyman Bruce, who is charged with assaulting Mr. Bro, at Syracuse, and stabbing him, waived his preliminary in the county court yesterday and was bound over to the district court in the sum of $300. He furnished bail.

NEBRASKA CITY—A full bolt of calico was found yesterday near the Missouri Pacific passenger depot and the police are now looking for the owner, as none of the merchants of this city have reported any losses of this kind. It is thought to have been brought here from some other place. It was wrapped as it came from the jobbing house, but bore no marks to show where it came from.

PERU—Superintendent A. L. Cavness of Fairbury, president of the State Teachers' association, has been visiting the normal today. He delivered an address at convocation this morning which was very inspiring to the student body.

PERU—The boys' and girls' basket ball teams of the normal will play a game of basket ball with the Auburn High school teams at Auburn next Monday.

PERU—The committee which is preparing the report to the governor of the Peru State Normal school for this biennium find several very interesting figures. The total number of attendants since the school was founded, 3,800; number in last biennium, 1,541; total number of graduates, 1,119; number graduated in the next to the last biennium, 145; number graduated in last biennium, 196; present attendance, 700; senior class, 175; junior class, 138. The figures show a remarkable growth in the last few years.

PERU—The registration for the preliminary debates is in progress. About thirty have registered for these debates and the registration is still continuing. The registration will be much larger this year than ever before.

MEADOW GROVE—John Peterson, the 17-year-old son of Adolph Peterson of this place, met with a serious accident one day last week which may result in the loss of an eye. While target shooting with a friend the old, rusty rifle which he was using exploded, filling his eye with powder. Mr. Peterson left for Omaha yesterday with his son to consult a specialist.

MEADOW GROVE—Yesterday at high noon Homer H. Dye and Edith Twiss were united in marriage at the home of the bride's parents in this town, Rev. W. C. Clifton, pastor of the United Brethren church officiated. The young couple will make their home on one of the farms of the bride's father, E. L. Twiss.

COLUMBUS—Thirty-four years ago today the Masonic brethren of Columbus received a dispensation to form a lodge here. It was given the name of Lebanon lodge No. 58. At the time it was organized there were seventeen charter members and of the original members there are five who are still members of the lodge. Its first worshipful master was Marshall Smith, who is still living near Denver, Colo.

COLUMBUS—The Catholic Knights of America lodge has just held its annual election of officers, as follows: Joseph W. Herrod, past commander; Martin Speicher, commander; Frank Schiltz, vice commander; Theodore Coerson, sr., corresponding secretary; William Schiltz, financial secretary; Godfrey Frischholz, treasurer; Stephen J. Ryan, escort; Joseph Bator, guard; Martin Schiltz, trustee.

FULLERTON—Last evening confirmation services were held in St. Alban's Episcopal church. Bishop Williams of Omaha conducting the services, assisted by R. G. Hamilton, rector of this parish. Five were confirmed, after which a reception was tendered the class and the visiting bishop at the rectory by Rev. Hamilton and his wife, assisted in the serving room by Misses Kitty Mishler, Ellen Wolfe and Frances Hamilton.

MEMORIAL OF JOHN N. BALDWIN

Some Notable Addresses of the Distinguished Orator Preserved in Book Form.

Admirers of the late John N. Baldwin have preserved in book form a choice selection of the speeches delivered on notable occasions by the distinguished citizen of two states. The volume, consisting of nearly 300 pages, is in most suitable memorial of a leader of the bar and an orator of force and charm. The list includes the speech as the temporary chairman of the republican state convention of Iowa, 1896; speech nominating Senator Allison for president, 1896; two addresses delivered at the Transmississippi exposition in Omaha; addresses on Washington, Lincoln, John Marshall, William McKinley and G. M. Lambertson; tributes to the life work of General Grenville M. Dodge and George R. Peck; address on "West of the Missouri River," several responses to toasts and a few political speeches. W. F. Gurley's memorial address at the bar meeting following the death of Mr. Baldwin, forms the closing chapter of the book.

In a foreword the compiler explains that the friends of Mr. Baldwin consider the volume "a most fitting memorial of this gifted man. While the printed page but faintly discloses the genius of the orator whose magnetic personality gave so much power to the spoken word, yet the virility of style and the poetic beauty of speech still remain to stimulate and charm."

The type, paper, presswork and binding are first class, in keeping with the purpose of the work. It is an attractive specimen of Omaha book making, of which a limited number of copies may be had by Mr. Baldwin's friends on application through the Omaha Printing company.

POULTRY SHOW OUTLOOK GOOD

Transmississippi Exhibit at Auditorium December 28 to January 2 Will Be Big Affair.

Poultry men of this section of the country are busy preparing for the annual poultry and pet stock show which will be held in the Auditorium in about ten days. The show will be held December 28 to January 2, and every effort will be made to make the coming show of surpassing nature. The organization which will give the show is the Transmississippi Poultry and Pet Stock association, which conducted the exposition last year.

For several years the Tri-City Poultry association gave shows at South Omaha, where a small hall was used. Last year the association spread out and gave a big one at the Auditorium, which was a marked success. The outcome was that more birds were shown and more people saw them than ever before, and the association quit with about $1,000 in the treasury. This money will be added to the premiums to make the show one of giant proportions.

The Omaha Kennel club has united with the poultry association and the prize list for dogs is printed in the regular catalogue. This will insure a big exhibit in that branch of the show. Last year but a small exhibit of pet animals was made, but this year several times as much space will be devoted. Several meetings have recently been held in the interest of the show and everything is moving swimmingly.

POSTOFFICE 'PHONE EXCHANGE

Central System to Be Installed in Federal Building by Authority of Treasury Department.

The postoffice building is to be equipped with a private telephone exchange, which will have the effect of greatly simplifying the method of reaching the different officials. Colonel Barrows, custodian of the building, has been laboring to secure this exchange for several months, and has just received authority from the Treasury department.

The new exchange will be put in by the Nebraska Telephone company and will consist of the common battery type with lamp signals and will embrace the latest thing in modern private telephone exchange systems. The federal building is about the last of the public buildings of Omaha to be so equipped.

Diphtheria at Diller.

BEATRICE, Neb., Dec. 17.—(Special Telegram.)—Black diphtheria has broken out in Diller. One child in the Adams family died yesterday and two are seriously ill with the disease. The schools have been closed and it may be necessary to quarantine the town.