

# The Holt County Sentinel.

41ST YEAR.

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## January



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### 1906

### Twenty-Fifth Anniversary.

Saturday, December 23, 1905, was a double anniversary for J. H. Fickes, and it was the occasion of a double distilled surprise upon that gentleman. Mr. Fickes was old last Saturday—how old he tries to keep a secret, and with his laughing face and sunny eyes, he would not tell you any way it was the anniversary of the important day upon which he made his appearance upon this mundane sphere. It was also the 25th anniversary of the marriage of Mrs. Fickes and himself.

Just as Mr. Fickes was ready to leave home, some one drove up and detained him. Then others came driving up and heading into his gateway, and then he began to "smell a mouse and the cat was let out of the bag." It dawned on him that a surprise was due and was coming in on time. Before noon a merry company had assembled, among whom were:

Rev. Henry Bullard and Mrs. Bullard, of Mound City, Mr. and Mrs. Matt Gervin, of Oregon, Mrs. Georgia Tritt, Mr. and Mrs. James Criswell, of Mound City, Mr. and Mrs. W. K. Mobler, of St. Joseph, Mr. and Mrs. Joseph Crider, Jacob Crider and long distance phonograph, Miss Ritter, Miss Paxton and Prof. Lake.

The time was agreeably spent till the hour for dinner, when they were ushered into the dining room, where a feast was spread, such as only the Missouri house wife knows how to prepare.

It did not all end to smoke, however, for there were displayed a large number of presents of costly and elegant silver ware. Indeed the happy pair will have enough silver plate to last them till the golden wedding, when it is hoped all their friends will be present and present enough to substitute gold for the silver.

All enjoyed themselves greatly and will long remember the hospitable and charming manner in which Mr. and Mrs. Fickes entertained. Maitland Herald.

### Death of Wm. Preston Cowman.

The many friends of Mrs. E. M. Norris, of this city, extend to her their sympathy in the death of her brother, William Preston Cowman, one of Iowa's veteran newspaper men, which occurred at his home in Casey, Iowa, December 25, 1905. At the time of his death, he was editor of the Casey, Iowa, Record, and death resulted from paralysis.

He was born in Rockbridge county, Va., October 2, 1831, and was in his 74th year when his summons came. In 1849, he located in Iowa. The Record in speaking of Mr. Cowman says: "Mr. Cowman had risen through the grades of county and state offices until he was elected to and served in the state legislature of Iowa in that famous session in which John H. Gear, afterwards governor and United States senator, was elected speaker of the legislature after a deadlock of several weeks.

He conducted newspapers in Monroe and Prairie City, Jasper county, before coming to Casey. He first bought a half interest in the Vindicator and in

August, 1880, purchased A. J. Shradler's interest and since that time has owned and edited the paper.

He enlisted in Co. G, 18th Iowa Infantry and was made first sergeant of his company. In his earlier life he was a member of the Christian church. His personal traits were easily recognized by all. His kindness was personified. He leaves a wife and several children.

### The Union Week of Prayer.

The week of prayer will be observed by the churches in a union meeting. The topics will be same as suggested by the Evangelical Alliance of the United States. It is to be hoped that all the people will unite heartily in the meetings. Let us pray that they may be full of life and power. We should all be thankful for the great blessings that have been bestowed upon us as a nation. Come with us and we will do you good. The meetings will begin each evening at 7:30.

Monday, Jan. 8th, "Believers Purified and Quickened," Presbyterian church, led by Rev. B. H. Hobbs.

Tuesday, Jan. 9th, "The Church Wholly Renewed in Love and Life of Christ," M. E. church, led by Rev. Jas. McFarland.

Wednesday, Jan. 10th, "The Unsaved Aroused to Seek Salvation," Evangelical church, led by Rev. A. J. Brock.

Thursday, Jan. 11th, "Society Evangelized," Presbyterian church, led by Rev. A. J. Brock.

Friday, Jan. 12th, "Mission Re-inspired and Re-inforced," M. E. church, led by Rev. B. H. Hobbs.

Saturday, Jan. 13th, "All Mankind Redeemed and Restored," Evangelical church, led by Rev. Jas. McFarland.

The person who is accustomed to play the organ in their own church will be expected to play at the service in their own church. The singers from all the churches meeting. We do not want the meeting to draw. Let each one come prepared in mind and heart. Let us have a blessed time. You can do it. Come with us.

The other day a collector of old guns in St. Louis got hold of one that looked as if it had not been fired since Noah left the ark. The purchaser of course did not suspect that old man Noah had left a load in the old piece, but as he wanted to remove the old stock and found that it would not come off easily, he decided to burn it off. He stood in front of the gun while he was burning off the stock. The attendance at his funeral was large and his widow put a card in the paper thanking all those who had assisted her in her hour of bereavement. This reminds us that there is a section of a tree up in the State Historical Society of Kansas, in the Capitol building at Topeka, which is cut from the battle field of Chancellorsville, in which there is half buried an unexploded shell. We expect some curious fellow to start a fire around that shell some day, just to find out whether or not it is loaded, and we can read in the Topeka Capital the flaming head line "Blown to Atoms," etc. etc.

### THEY GRIND EXCEEDING FINE

The January Term of Holt's Circuit Court is Now Grinding—A Light Docket.

To most the phrase, "This indenture witnesseth," is as much Greek as the other common phrase, "Witness my hand and seal." Yet both are relics of the time when these legal forms carried with them a significance not obtaining at present.

Legal documents were once engrossed upon parchment because paper cost so much more than dressed skin. The parchment was seldom trimmed exactly and the top was scalloped with the knife hence the term "this indenture." Even where the lawyers have departed from the custom, still obtaining in England, of using parchment for their legal forms, the phrase has been retained.

In the same way the signature of "hand and seal" is a relic of those olden times when only clerks and the clergy could wield the pen. It was the custom for the contracting parties to lay their hands upon the document in token of their good faith, and there remained a smudge. As these original thumb marks were not easily identified, the gentry added their seals for the purpose of further establishing the validity of the document. It may be generally known that a seal is still required by law, though the need for it passed with the spread of education, and the bit of red paper affixed by the lawyer is as necessary as the signature to certain documents.

A court of law is a reminiscence of the time when justice sat in the open court yard, and the "dock" is from a German word, meaning a receptacle, while the "bar" is a wech word meaning a branch of a tree used to separate the lord of justice from their vassals.

The entire phraseology of the bench is reminiscent of the earlier days, but, having been proven proper, has been retained.

The miscarriage of justice in our criminal courts made possible by lawyers taking advantage of technicalities in the law, is one of the great contributors to mob law and lynching. There is a recent instance in Kansas City. Doctor Zorn, of Kansas City, was charged with the murder, in June, 1902, of Albert Seehrist. He had three trials, two of them resulting in hung juries and the third in a sentence of 15 years in prison. Zorn asked for a fourth trial and employed seven lawyers to argue. And this is the argument of the lawyers as printed in a Kansas City newspaper:

Joseph Brooks gave the first reason why Doctor Zorn should have a fourth trial. He attacked the grammar of the indictment in a speech alive with technicalities. Mr. Brooks said the erroneous use of the preposition "with" had made the indictment wholly bad. The state, he said, alleged that Doctor Zorn "did make an assault and WITH a certain revolving pistol and which said pistol the said Zorn," etc.

"This sentence," said the attorney, impressively, "has no subject and no predicate."

J. A. Reed, another attorney for Zorn, attacked the conjunctive "AND" in the sentence. He said the state charged two things: An assault "and with a certain revolving pistol." The language must be precise, the lawyers for Zorn said, nothing could be taken for granted or by implication. "The indictment," said Reed, "is a senseless and meaning less jumble of words."

The whole battle, it is noted, is one of technicalities—a balancing of preposition. There is not a glimmer of equity, not a word bearing on the merits of the case. It was this sort of abuse of the technicalities of the law, this sort of quibbling employed by lawyers in the defense and acquittal of notorious criminals that caused the riots and the burning of the courthouse in the city of Cincinnati a few years ago. The same thing may happen again. Federal Judge Menger, of the Omaha Federal court, but recently gave Bartlett Richards a nominal sentence of six hours in the custody of the United States Marshal for stealing 200,000 acres of land. Federal Judge McPherson, of the Iowa Federal circuit court, recently gave a poor laboring man four months in jail for violating an order of his court. The poor fellow was not allowed a jury or trial, but was jailed by a judge who first made the law, then executed it with charming disregard of the guaranteed right of trial by jury. It is a greater crime under present day conditions to violate a federal judge's order than it is to steal 200,000 acres of land. And some people wonder why there is a growing disrespect for the courts.

There were three persons sent to the penitentiary from this county during the year 1905. These were: John Barackman for two years, at the April term, for selling a stolen

buggy to Charles Wehrli in July, 1904. John Howard and Harry Clemmons were each given two years for stealing a buggy from H. D. Minter in November, 1904.

There were 26 jail commitments during the year 1905. This is a less number than in 1904, and in 1901 there were 40. The commitments for 1905 were:

- Wm. Fattig, 3 days, insanity.
- John Caveny, 256 days, larceny.
- John Wilson, 256 days, larceny.
- Allie Gilleland, 42 days, petit larceny.
- Frank Lowe, 42 days, petit larceny.
- Charles Carter, 2 days, misdemeanor.
- Dut Chesney, 12 days, misdemeanor.
- Taylor Dawson, 7 days, misdemeanor.
- Joe Roberts, 4 days, misdemeanor.
- Wm. Cameron, 2 days, misdemeanor.
- Mont Williams, 2 days, misdemeanor.
- Perry McBee, 12 days, misdemeanor.
- Wm. McFadden, 7 days, assault.
- Fred Sparger, 4 days, misdemeanor.
- Geo. Ward, 27 days, misdemeanor.
- Geo. Lukens, 100 days, misdemeanor.
- John J. Warren, 14 days, burglary.
- John Reese, 11 days, burglary.
- Oscar Depew, 14 days, burglary.
- Loren Charles, 81 days, misdemeanor.
- Tice Adams, Mary Kunkel, Willis Rodcap and Sam Brown, each 1 day, misdemeanor.
- Hatch Dodge, 1 day, insanity.
- Carl Wilson, 9 days, disturbing the peace.

The total number of days served was 187 and the average was 32 1/2 days. The offenses as classified were:

- Insanity..... 2
- Disturbing the peace..... 1
- Larceny..... 4
- Misdemeanor..... 15
- Assault..... 1
- Burglary..... 3
- Total..... 26

Under our statutes the 1st day of January is a legal holiday, and hence no court was held, but the sheriff's "O. Yes," was heard, and announced court was adjourned 'till tomorrow, Tuesday, January 2nd. The court and his aids—the clerk, sheriff, deputies and jurors materialized in the flesh Tuesday morning, and court was in full swing by 11 a. m.

It is the first meeting of our circuit court since the death of its clerk, J. H. Hogrefe, October 25th, and his place is now filled by Robert G. Raley, who holds the position by appointment from Gov. Polk. The new hand at the records had the details of the office well in hand, and took hold of his work with intelligence. Sheriff Williams is being assisted by ex-Sheriff Ramsay and Al. McNulty. Our sheriff is also assisted by an extra pair of legs, and he is now quite free to say that he'd rather be sheriff any day than an expert football "tackle." Notwithstanding his crippled condition, he is handling the business of his office all right. Judge Ellison looks as fresh as a June rose, and is pushing the business with his usual vim and vigor, and Tuesday evening found the court was up with the docket.

The following were sworn as jurors: Wm. M. Carr, A. J. Buntz, Wm. Murray, Benton.

Wm. H. Paxton, Levi M. Thompson, Elmer W. Hunter, Clay.

Geo. W. Leone, Albert Kollmer, Foreman.

Asmus Priesman, Claude Petree, Foreman.

James F. Bucher, Henry E. Perot, John Greiner, Lewis.

Wm. B. Hawks, Isaac D. Painter, Foreman.

Joseph Mitchell, Lincoln.

Geo. P. Hopper, Munton.

H. E. Herdman, Nodaway.

Charles Randall, Alex. Gray, Arch Sharp, Foreman.

The following cases were called and entries made as follows:

State vs. H. E. Bell, this was a case allowing a minor to play pool, and at the August, 1904 term, the defendant was found guilty and fined \$50, an appeal was taken to the Kansas City Court of Appeals, mandate affirming the lower court was filed.

State vs. George Adams on the charge of gambling was continued.

Several parties were fined \$10 and costs for unlawful sale of liquor.

The State vs. Dolph Beckner, Harry Miller and Vance Dillon, young boys under 17 years of age were charged with obstructing the railroad near Mound City. On October 20th they took a number of railroad spools and drove them between the rails on the track just east of Mound City. Their case was called Wednesday. They were charged with trespassing. They pleaded guilty, and owing to their youth, the court assessed a fine of \$1 and costs against each of the lads.

The State charged Bailey McFadden with assault with intent to kill. In May last, Frank B. Rollman was in our city engaged in selling town lots in Oklahoma. McFadden heard that the complaining witness had made some derogatory remark about the negro, and the defendant feeling it his duty to resent

it, drew a knife, and seemed inclined to do some carving. The case was heard at the August term last, and they gave him two years in the penitentiary, but a new trial was obtained on account of some error in the indictment. On Wednesday the case was again called, and the defendant plead guilty, and was given three months in the county jail.

The State vs. Wm. Cobb was called Wednesday, and occupied the attention of the court the greater part of the day. It was the most interesting case thus far tried. The defendant was charged with stealing a set of harness belonging to Asa Sharp, of Craig. It seems that a Mr. Sandall, who is also charged with connection with the case, admits stealing the harness, and asserts that Cobb was to pay him \$10 for the job Cobb formerly lived near Helwig, in this county, but for the past three years has been living near Craig. The case was given to the jury, who failing to agree, were discharged.

May A. Norris vs. Esta W. Norris. Divorce. Defendant files answer.

John R. Ridge vs. Elmer E. Johnson, Damage. Defendant files answer, and files motion to rule plaintiff to give security for costs.

William Galbraith, by his next friend, P. Galbraith, vs. T. E. Teare. Damage. Continued.

Gour. Morris and John E. Taylor vs. Howard F. Penny. Ejectment. Defendant files answer.

James M. Fulton vs. Joseph L. Freedland and Elzie Fulton, change of venue. Defendant files stipulations between parties.

George B. Shultz vs. Nancy J. Shultz, Nettie Shultz et al. Partition. Administrator W. E. Stubbs made party defendant, who filed his answer.

Emanuel E. Myers vs. Ella Falconer et al. Partition. Commissioners filed their report.

Frederick Hiene vs. Sophia Ohlenschlen. Partition. Guardian ad litem filed amended answer.

Farmers' National bank vs. I. N. Chuning et al. Note. Defendant Chuning filed separate answer.

Nicholas Brady et al vs. James Brady et al. Defendant Emma Graves filed separate answer.

Amelia C. Drake. Note. Plaintiff dismisses as to W. F. Drake.

Gouverneur Morris vs. J. W. Ramsey et al. Partition. Harry M. Dungan named as guardian ad litem.

### We've Got the Cash.

Responding to the call of Secretary of State Swanger, for a statement showing their financial conditions, reports have been received from 24 trust companies, the 79 private banks and the 806 incorporated banks doing business in this state at a date which made them subject to the call. The following is a recapitulation of deposits of the private and incorporated banks, which include the three larger cities of the state, but does not take in the trust companies. The deposits in these show the astounding figures in the aggregate to be \$148,475,455.

Outside cities..... \$1,800,019

St. Louis..... 49,885,803

Kansas City..... 3,025,101

St. Joseph..... 3,674,433

Private..... 5,970,000

Total..... \$148,475,455

In addition to this sum the trust companies hold deposits aggregating \$53,000,000, bringing total deposits up to the remarkable sum of \$201,475,455.

The total loans on real estate as reported amount to:

Outside of 3 large cities..... \$13,980,409

St. Louis..... 3,201,497

Kansas City..... 678,887

St. Joseph..... 7,709

Private..... 1,431,000

Total..... \$19,900,000

### One Church New.

After a division of almost 100 years, steps were consummated on Friday, December 29, 1905, in the joint session of general committees which, when formally ratified, will unite the Northern Presbyterian church, U. S. A., and the Cumberland Presbyterian church. Almost two days were consumed in arranging details for the union. Those reports were submitted to the general committees representing each church Friday afternoon. Within two hours the two general committees had met in joint session and agreed upon a basis for the union of the two denominational bodies. This agreement will be reported to the general assembly of the Presbyterian church, meeting at Des Moines, Ia., on May 17, 1906, and of the Cumberland Presbyterian church, meeting in Decatur, Ill., on the same date, for formal ratification by those two executive assemblies, which will be followed by the official announcement that the union of the two churches has finally been consummated.

### BREAKS THE RECORD.

Collector Smith Makes the Largest December Collections in the History of the County.

Never in the history of our county have the collections through the county collector's office been so large during the month of December. It is certainly a most heartful indication of the financial condition of our people and is a certain index as to how thoroughly is the business of that office being conducted by Collector Albert Smith. One of the causes leading to these collections is owing to that peculiar quality of human nature which has such an abiding faith in the advisability of never paying any kind of taxes if it can be put off until tomorrow. December 31 is the latest day upon which taxes can be paid with no penalty attachments. After the first day of January penalties are added and the collector is charged with every cent of penalty by the state auditor and he must show up. During the last ten days Collector Smith was overwhelmed with demands "to make out my tax receipts," and in addition to his own and Deputy Allen's work, he was compelled to call L. I. Moore to his assistance and by working day and night, the three were enabled to keep up with the demands upon the office. We must congratulate Collector Smith on his excellent showing as by this vigorous policy of his office, many of the school districts will be relieved by reason of the slowness of many taxpayers in paying their taxes. The collections for 1905 amounted to \$84,362, the several items being:

Current taxes.....	\$64,454 00
Land back tax, 1904.....	402 69
Consolidated land back taxes.....	24 08
Squaw Creek ditch, 1905.....	8,000 00
Squaw Creek, delinquent.....	64 81
East Mill Creek, 1905.....	89 10
Personal delinquent, 1904.....	107 43
Consolidated personal.....	34 38
Delinquent poll tax, 1904.....	97 00
K. C., St. Joe & C. B. railroad.....	8,545 45
Atchison & Nebraska railroad.....	1,352 33
St. Joe and Nebraska railroad.....	662 96
Western Union Telegraph Co.....	208 87
American Telephone Co.....	102 42
Craig Telephone Co.....	22 94
Northwest Mo. Telephone Co.....	25 09
Oregon & Forest City Tel. Co.....	29 84
Holt County Ind. Tel. Co.....	36 11
Mo. & Kas. Tel. Co.....	107 71
Fairfax Telephone Co.....	7 44

Total Dec, 1905, collections..... \$84,362 23

The total December collections for the several years past have been as follows:

1897.....	\$36,259
1898.....	36,171
1899.....	37,000
1900.....	59,314
1901.....	69,373
1902.....	73,124
1903.....	67,657
1904.....	71,891
1905.....	84,362

The total collections for the year 1875, as reported by the then collector, Wm. G. McIntyre, amounted to \$2,710, or \$31,652 less than the December collections, 1905, as reported by Collector Smith.

### A Sad Accident.

John Thompson, living on Mill creek, met with a serious accident, Saturday which caused his death a few hours afterwards. Friday and Saturday, he with his son had been at Henry Garden, north of Corning, with their well boring machinery, sinking a well for Mr. Gardner. After loading the heavy machinery in the wagon, about four o'clock they started for home. When in the vicinity of Henry Nabors', the wagon wheel got fastened in a rut on the road. Mr. Thompson got out and attempted in lifting the wheel out of the rut and in doing so strained himself. He was unable to ride, as he walked to Corning and had been in Corning an hour or two when he went into the store of F. W. Walter and seated himself in a chair. In a few minutes he fell over unconscious. He was taken to the Palace hotel of Mrs. John Madison, where at eleven o'clock he died. He regained consciousness and made a great effort to speak to those about him, but he could not be understood.

John Thompson was born in 1867, near Oregon, Holt county. In 1883, he was married to Miss Katy Majors, who survives him with seven children—four boys and three girls. Eleven years ago he bought and moved onto a farm located on Mill creek which has been their home ever since. He was a hard working man and had the respect of all his neighbors. The funeral was held from his late home, Christmas day at one o'clock p. m., and burial was at the Mt. Hope cemetery.

Mrs. E. J. Kennish, of Paragould, Ark., is spending the Yuletide season with her parents, Judge Collison and wife, of Maitland.