

The Plattsmouth Daily Herald.

VOL. I.

PLATTSMOUTH, NEBRASKA, TUESDAY EVENING, MAY 22, 1883.

NO. 74

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One copy six months.....\$1 00

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Registered at the Post Office, Plattsmouth, as
second class matter.

EDITORIAL VISITORS.

The citizens' meeting at the the court
house last evening was well attended; a
programme was prepared for the occa-
sion of the reception of the editorial ex-
cursion on Thursday morning next.
Judging by the tone of the meeting
last evening and the character and num-
ber of our citizens present, these press
representatives will be received in due
form.

THE cold weather has injured the late
corn planting, causing the corn to rot in
the ground where the seed was not first
rate. We are informed by farmers from
all sections of the county, that corn
planted in April, where the seed was
good, is growing nicely.

"ROSEWATER VS NYE" is the title of
case now being tried between the Bee
and Republican; *ex parte* affidavits are
being used and the arguments in the
case are now being had. Criticism
by the press should be withheld until
the case is decided.

The acquittal of Jere Dunn, at the
hands of a Chicago jury, the other day,
is exciting a great deal of criticism
and comment from the press of the
country. One desperate man murdered
another desperate man, and it
appears that the jury were permitted
by the trial court to go off on a side
issue, and, as expressed by a prominent
Chicago newspaper, arbitrate between
the dead and the living man. The diffi-
culty with this class of cases lies
with our juries and our trial courts.
The great city of Chicago contains
many thousand worse men, it possible,
than either "Jere Dunn" or "Jim El-
liott," who are each one eligible to sit
upon a jury. These men, as a rule,
cannot be kept off of a jury, especially
when they and the classes to which
they belong, control the political par-
ties which select the courts and minis-
terial officers.

The HERALD is not going to point
out any specific remedy for this grow-
ing evil, farther than to suggest that
no relief can be expected until better
government and rule is established
and maintained in these centers of
population. It is both idle and vain
for a great city like Chicago to com-
plain of these evils so long as the sen-
timent of her people upholds her pres-
ent government. Public sentiment
must be up to the full measure of a
statute, must approve of its aims and
penalties, else that statute will fail to
remedy the evils for which it was cre-
ated; this public sentiment is always,
ought to be always, represented by
the public servants selected to main-
tain and enforce law and order. Ruf-
fianism will never be kept down while
ruffians and outlaws are allowed to
dictate and name the officers of the
law. There is nothing wrong with
our system of laws. Where public
sentiment is in accord with the laws
they always prove adequate to protect
society.

Supreme Court Again.

The Falls City Journal is out again in
a vigorous article against the Supreme
Court of Nebraska, which the HERALD
admires for its candor. The Journal,
however, makes one very important ad-
mission at the outset, and that is, that
the newspapers which have raised such
a fuss in regard to the Matt Simmer-
man outrage, have been mistaken, and
that so far as that case is concerned,
the Supreme Court is blameless. The
HERALD has believed all along that
these journals were misled and mistaken
altogether in this matter, and still
thinks so. A long personal acquaint-
ance with the gentlemen composing
that court, a practice of some fifteen
years with its members, form the basis
of this belief. When we pronounce
these gentlemen, in point of ability,
the strongest among the profession in Ne-
braska, we think we voice the senti-
ment of the entire profession in the
state; age, experience, and learning in
their profession, all being in their fa-
vor. Their personal integrity is unques-
tioned and unassailable. The thirteen
volumes of Nebraska reports containing
their views and interpretations of the
law stand as witnesses in the case.
The reputation of this court with the
profession throughout the entire north-
west is such as every Nebraskan should
feel proud of. Then the question re-
solves itself, what is the matter at home?
The Journal states its case about as fol-
lows: Criminals have been favored by
the court and permitted to escape pun-
ishment, citing as is universally done,
so far, by all those papers finding fault
with this tribunal, the Olive case. Is
this true? We most emphatically den-

it. If any person disposed to treat this
court fairly, will take the pains to ex-
amine the record in this Olive, or any
of the cases complained of, we care not
whether he be a lawyer or not, he will
see in a very few moments where the
trouble lies. Courts cannot be too
careful in the trial of important criminal
cases. Their action is always sub-
ject to review, gross errors committed
cannot be overlooked by the reviewing
court, the rulings made, and the law
laid down by the court effects every man's
standing and safety in the community.
Was the prisoner guaranteed a fair and
impartial trial in the court below, is
the question the supreme court has to
pass upon; not was he or is he a great
criminal or a persecuted citizen?

The Journal is mistaken as to the
grounds upon which the Olive case
was reversed. It is true upon the ju-
risdictional question raised in that
case, a majority of the court were of
opinion the prisoner could not be law-
fully held to answer for the crimes
charged against them in Adams county,
and that that was one of the grounds
upon which the case was reversed;
but the court examined other errors
assigned and *unanimously* agreed, that
independent of this jurisdictional
question, the judgment and sentence
could not be upheld; in reaching this
conclusion it gave its reasons, which
appear in the reported case in 11th
Nebraska; and we now call upon the
Journal to examine that case and tell
us wherein the supreme court was at
fault. The HERALD believes Judge
Gashin to be a good citizen and an hon-
est man, at the same time, we know
him to be an eccentric, excitable, im-
pulsive man upon the bench, who loses
control of himself, and commits errors
in these important cases which no
reviewing court, which has any re-
gard for itself can overlook, and there-
in lies the whole trouble.

During the period named by the
Journal, in which it claims very many
murders "go unwhipped of justice"
by this court, we can call to mind
about eight cases of conviction for
murder in the first degree, and about
the same number for murder in the
second degree and for manslaughter
which this court has been called upon
to review. These cases are fully
reported in our Nebraska reports and
are all the justification the court needs
from persons disposed to examine the
matter dispassionately. For this reason
the HERALD suggested that the best argu-
ment, if this court was to be further
castigated in this manner, was proof of
its misinterpretation of the law. The
Olive trial was a prodigious farce, cer-
tain officials since that trial (and we are
not charging this against any of the
newspapers which have been engaged
in this war upon the supreme court) have
endeavored to cover up their own in-
competency and failure in the matter by
charging the supreme court with Olive's
release. The HERALD only desires, if
there is anything wrong with Nebras-
ka's courts, that the blame rest where it
properly belongs.

THE GOSPEL OF BOLTING.

Frank Hilton in the Pilot.
Under the above title, an old (new)
letter, said to have been written by
Horace Greely in 1872, but never before
published, is being given prominence in
a few papers like the Omaha Bee and
Tribune, in which that distinguished
man is made to say "the pur-
ifying principle of our politics is bol-
ting, and I mean to encourage resort to
it." If we remember aright it was in
1873 that Horace Greely accepted a
democratic nomination for the presi-
dency, and it is just possible that he
may have uttered such a sentiment at
such a time, but it does not comport
with the principles nor the practices of
Horace Greely at any previous period
in his life. However it forms a good-
sized straw for those who occupy the
attitude towards their party that he
then did, to clutch at as a forlorn hope.
But while they are deriving consolation
from their ingrained feelings from this
doubtful letter, they should not omit to
make a record and place it prominently
by the side of this "authority" so as-
suringly quoted, of the sequel to Mr.
Greely's letter, and only great effort to
injure his party by bolting. The fact
that he disgraced himself in the estu-
mation of countless thousands who had
previously held him in the highest es-
teem, and the further fact that his polit-
ical sun set in obscurity and ignominy,
so to speak, is too apt to be lost to view
by those who just now are holding him
up as an apostle of bolting. Do what
they may to obliterate and hide the
facts, there's a principle of dishonesty
in the act of bolting and honorable nom-
ination, and sooner or later its practice
will beat and blacken the character of
all who endorse it. Such results came
home to Mr. Greely sooner than it does
to the average politician, because, after
living a long life of almost unparalleled
integrity in this regard, when in his
dodge he risked all on a single roll of
wheel—and lost. That he did not count
the failure as certain error he made the
race, proves his mental powers deficient
at that time. So, if those who were
quoting this final and fatal jump of Mr.
Greely's. They display their own want
of mental and moral stamina at every
turn. They will continue to quote Mr.
Greely, continue to bolt, and continue
to be the "under dog" in almost every
practical fight.

The foregoing from the Blair Pilot,
contains many grains of truth. The
fact is, disappointed factions in any and
all political parties—nine times out of
ten—bolt because they cannot "run the
machine" themselves. Bonism would

be a delightful morsel to roll under
their tongue if they could only be the
bosses, and herein lies the dishonesty
pointed out by the Pilot. By some sen-
timentalists it is called "Independence"
in politics, while in fact, it is nothing
but the "rule or ruin" policy which re-
sults in harm to everybody, and good to
nobody.

RAUM'S SUCCESSOR.

The "aching void" is filled. Walter
Evans, of Louisville, Kentucky, is the
lucky man. Mr. Evans was a delegate
to the national republican convention
held in Chicago in 1880, and was one of
the 306 who supported General Grant.
Criticisms are now in order.

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