

The Plattsmouth Journal.

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HE KILLS HIS BROTHER-IN-LAW

Frank L. Busche Resents the Assaults Made Upon His Home.

SHOOTS GEORGE STADLER

Extreme Cruelty to His Family Is Said to Have Caused the Tragedy.

NO SYMPATHY SPOKEN FOR DEAD MAN

Last Sunday morning about the hour of 2:30, George Stadler drove through the streets of Plattsmouth and direct to the home of Frank L. Busche in the south part of the city, where in less than a half hour after his arrival on the premises he lay cold in death.

The dead man bore the reputation of being extremely cruel to his family, especially as to his wife. The family were living at Louisville, this county, where Stadler worked in the Newell & Atwood stone quarry, and from reports on Friday night he began a tirade of abuse upon Mrs. Stadler. He had repeatedly told him she could not and would not stand his cruelty much longer. So on Saturday she, in company with her children, came to the home of her brother in this city.

Stadler procured a team at Louisville and about 11 o'clock started for Plattsmouth, where he arrived a short time before the tragedy. He went to the home of his brother-in-law and demanded admittance, but he was refused. Mr. Busche, knowing the desperate character of Stadler said he knew that entrance to his house meant death to either him or the dead man's wife. He first went to one of the windows and demanded admittance then went to the door and remarked that he would "break down" the door and kill the whole family. He broke in the screen and smashed the lower panels of the door, when Mr. Busche fired through the door, the contents of the gun taking effect in the left side of the neck and breast.

Mr. Busche, who had been quite ill for some time and being yet very weak, hearing no movements from the wounded man, thought perhaps he was "acting the possum" in order to get him out of the house. He immediately apprised Sheriff McBride and by the time he arrived Stadler was dead.

Sheriff McBride notified County Attorney Rawls and Coroner Boeck, and the latter about five o'clock summoned the following jurors: Mat Wilkins, George Dodge, John Cory, Charles Weldy, John Renner and Dr. E. W. Cook. After a short deliberation the following verdict was rendered:

"That the said George Stadler came to his death at about 2:30 o'clock Sunday morning, October 22, by being shot with a shotgun in the hands of Frank L. Busche. We further find that the said Frank L. Busche was justified in taking the life of the said George Stadler, and that in so doing he was acting in defense of his own life and the lives of the members of his family."

The verdict of the jury meets the approbation of every good citizen, most of whom know the circumstances which finally led to George Stadler's death. He was a carpenter by trade and was employed in the Burlington local shops for a number of years. He has been known to ill-treat his wife on several different occasions, and when he found out that his wife and children had taken their departure for this city, many of those who knew his disposition so well as of the opinion that he left Louisville with the full determination of making trouble at the home of his wife's brother.

George Stadler was 37 years of age, and his children are as follows: Ida, aged 17; Ray, aged 14; Lloyd, aged 12; Idella, aged 3, and Dora, aged 7 months.

When the clothing upon the dead man was searched no weapon of any kind except a common pocket knife was found upon his person, nor were there any indications that he had been drinking.

The funeral will occur this afternoon and will be attended by Father Bradley of St. John's church. Interment will take place in the Oak Hill cemetery. A brother of the deceased, Mike Stadler, of St. Joseph, Mo., and John Hager and wife of Platte county, Neb., the latter a sister of the dead man.

JUDGE CRITES WINS OUT

Judge Albert W. Crites, of Chadron, Neb., Wins Alleged Contempt Case.

JUDGE HARRINGTON IS REVERSED

The many friends of Judge Albert W. Crites, of Chadron, Neb., will be pleased to learn that on yesterday the supreme court reversed the district court of Dawes county which had adjudged Judge Crites to be in contempt of court and imposed a fine of ten dollars and commitment to the jail of Dawes county, when he refused to pay the fine. The district court refused to fix a supersedeas and stay of sentence until Judge Crites could get his case in the supreme court, whereupon telegraphic communication was opened with Chief Justice Holcomb between Lincoln and Chadron, and Judge Crites promptly secured from the chief justice a supersedeas, stay of sentence and discharge from jail. Judge Harrington of the district court of Dawes county, imposed the fine for contempt. The following appeared in the State Journal Friday:

"Albert W. Crites, an attorney at Chadron, who was adjudged in contempt of court by the judge of the district court and fined \$10, has secured a reversal of the judgment. The supreme court holds that the record in this case is defective and does not sustain the judgment complained of. Presumptions and inferences will not be indulged in the court holds, in order to sustain convictions for contempt of court."

May Get the Bridge.

It begins to look now as though there really is a chance of having something done regarding the repair of the Platte river free wagon bridge at this place. Today (Saturday) Surveyor Hilton of this county and the county surveyor of Sarpy county will meet here and make a survey of the extent of the damage done to the bridge and report to the two county boards at a special meeting to be held in Papillion next Tuesday.

This begins to look like doing business. The public has been without means of crossing the Platte river for almost a year and will be glad to hear even this much being done looking toward its repair.—Louisville Courier.

Sudden Death.

While driving from Waverly to Greenwood in his buggy, Thursday, Andrew Rouse, aged 52 years and a prominent resident of this section, died suddenly of heart disease. He leaves two sons, aged 15 and 17 years, and a daughter, Mrs. James Kyle. His wife died several months ago. Mr. Rouse carried a policy for \$2,000 in the Modern Woodman of America, which he had only changed last week in favor of his sons. Deceased was a respected citizen and a representative farmer and was related to the Coleman and Laughlin families of Greenwood. The funeral services will be under the auspices of the Modern Woodman.—Ashland Gazette.

Farmers Make Their Own Lights.

Three farmers living near Greenwood have their own electric lighting plants says the Lincoln Journal. This is one evidence of the prosperous condition of the rural communities of the state. A local lighting plant has had one of the contracts. The manager said that the idea of making their own lights is taking with farmers who employ the gas engine they use for various purposes to run a small dynamo. With this they are able easily to maintain ten or twenty lights about their premises, making life on the farms far from undesirable.

Apple Blossoms.

Apple blossoms at this time of the year are seldom seen. In fact they are so very rare that few people ever saw them. The Courier office is in receipt of a neat bouquet presented us Wednesday by our friend, John McNurlin, who lives about nine miles southeast of town. Mr. McNurlin tells the Courier that he has two large trees which are in full bloom and at the same time have between five and six bushels of ripe apples on them. The trees are about twenty years of age.—Louisville Courier.

For All Kinds of Piles.

To draw the fire out of a burn, heal a cut without leaving a scar, or to cure boils, sores, tetter, eczema and all skin and scalp diseases, use DeWitt's Witch Hazel Salve. A specific for blind, bleeding, itching and protruding piles. Stops the pain instantly and cures permanently. Get the genuine. Sold by F. G. Fricke & Co., Gering & Co.

McBride-Farley Case Overruled.

Among other cases before the supreme court this week was that of the celebrated libel case of McBride vs. Farley. This is the case wherein the district court gave McBride a judgment for \$10, Farley appealed to the supreme court, which sustained the judgment of the lower court. Then Farley asked for a rehearing, which was overruled. This, evidently ought to settle the fact that the supreme court and the district court knew what they were doing and what the word "libel" means.

BAD RAILROAD WRECK

Train on Missouri Pacific Goes Through Bridge, Killing Engineer and Fireman.

COACH REMAINS ON TRACK

While Several Freight Cars Fall on Top of Locomotive.

CORONER'S INQUEST AT WEEPING WATER

After the Journal had gone to press Friday evening, near 5 o'clock, we received a telephone message from Union, giving the particulars of the serious wreck, near Nehawka, on the Missouri Pacific railroad. As half of the edition had been printed, we did not stop the press. The following special from Nebraska City gives particulars of the terrible wreck:

"B. F. Young, engineer, and Wm. Sheffield, fireman, on engine drawing a stock train which left here at 9:40 this morning, were instantly killed by being pinioned under their engine when it went through a bridge between Weeping Water and Nehawka at 10:30. The engine and two empty stock cars were precipitated a distance of twenty-five feet. The other cars and a passenger coach at the end of the train remained on the rails.

"The engine drawing the train is of the "battleship" type of locomotives and the report is it was too heavy for the bridge. The train was in charge of Conductor J. Atwell.

"The train was destined to Weeping Water. The engineer and fireman were the only persons caught in the wreck.

"The Missouri Pacific train which was wrecked three miles north of Nehawka on Friday consisted besides the engine of two empty stock cars, a passenger coach and a smoker, which was at the end of the train and was the only car that was not wrecked. The passenger coach was behind the stock cars and fell on top of them, the car standing on end in the ditch. Fifteen passengers were in the car and they were thrown to the front end of the car, but no one was seriously injured.

"The engineer and fireman were instantly killed and were found in the engine cab. Shortly after the wreck the wreckage caught fire, but the blaze was extinguished by the passengers.

"The dead men were taken from the wreck and removed to Weeping Water, where an inquest was held Saturday. Engineer Young was about 55 years of age and leaves a wife and seven children. Fireman Sheffield was about 45 years of age, and leaves a wife and eleven children. The train was running about thirty miles an hour when the engine broke through the bridge."

The following is from the Nebraska City News of Friday evening:

"Engineer B. F. Young has made this city his home for many years and leaves a widow and children to mourn his death. Fireman Sheffield has also been a resident of this city and leaves a widow and several children.

"The family of Mr. Young has been sorely afflicted, for it was on the 11th of July that his youngest son was drowned while swimming at the foot of Central avenue and his body has not yet been recovered.

"The bodies of the two men will be brought to this city as soon as they are recovered, for it seems certain from late news received from the wreck that the two men are dead."

Case Reversed.

We note in the supreme court proceedings in the Lincoln Journal of this morning that the case of the City of Plattsmouth vs. Murphy has been reversed and remanded. This is the well known street paving case that has been in the courts for sometime, of which most of the readers of the Journal are well acquainted.

LOOKING BACKWARD THIRTY-FOUR YEARS

Great Struggle to Defeat Re-Election of United States Senator, John Milton Thayer.

SENATOR WILLETT POTTENGER IN 1871

"Any Fool Can Hold an Office When Elected, But It Takes a D—n Smart Man to Hold One When He Isn't Elected."

POLITICAL HISTORY OF THE LONG AGO

The article in last week's Journal concerning the noted law suit between Phillips and Pearlman, in which Judge Pottenger acted both as court and plaintiff's attorney, recalls the following concerning Pottenger:

In 1870 a noted political struggle took place in Cass county, Nebraska, and for that matter, throughout the state. The contest centered on the re-election of David Butler for governor for a third successive term, and on the re-election of John M. Thayer as United States senator. There was open revolt against both these gentlemen in the republican party. Senator Thomas W. Tipton was on the stump in open fight against Butler. In Cass county, among many leading republicans, the fight against these candidates was very pronounced—even bitter on the part of some. The democrats were then, and had been for years, in a hopeless minority in the county and in the state. But this bolt in republican ranks gave unexpected hope to the faithful, loyal Cass county democrats of that day—a number of whom still reside in Cass county.

An arrangement was entered into between the leading republicans in revolt and the leading democrats of the county by which a mass meeting of the democrats and anti-Butler-Thayer republicans was held. This convention was called to meet at the old Mt. Pleasant school house, near Nehawka. The school house proved inadequate to accommodate the large attendance.

The big mass meeting was called to order on the southeast corner of the old Mount Pleasant town site, near the school house. For seats the prairie was utilized, with nothing softer to sit upon than the luxuriant grass, then tinged with autumnal decay. A wagon with an empty box, or bed, was improvised as a speaker's stand and for officers of the mass meeting. Senator Tipton was the principal speaker, and entertained the big meeting with red hot shot at Governor Butler, delivered while standing in the wagon box.

For years in Cass county, democratic and republican partisanship alike, had been very strong and seldom, if ever, had there been any tickets scratched.

Each voter had, apparently, been thoroughly grounded in the belief that alike it was his political and religious duty to "vote it straight."

But on this occasion partisan feeling dropped out of sight. The bolting republicans, as they honestly believed, considered it better for their party and for the state that Butler and Thayer should be defeated. The democrats, through the political mist that had so long enveloped them, saw hope for representation in the state legislature.

At that meeting were many pioneer democrats and republicans, among whom were James M. Patterson, Lawson Sheldon, John Rouse, D. L. Clapp, Levi G. Todd, Rev. Joseph Cannon, Joseph S. Upton, Daniel M. Ramsey, Isaac Pollard, Willett Pottenger, Charles H. Winslow, James A. Walker, James M. Stone, James Banning, Wheatley Mickelwait, Dr. William Wintersteen, Rans Morgan, Basil S. Ramsey, William H. Hobson, John Murdock, John Ramsey, Joshua Stroud and many others, of whom but few remain.

After the organization of the convention, a conference committee was selected from the democrats and republican present. The duty of this committee was to arrange a distribution of candidates, which was done alike satisfactorily to democrats and republicans. The republicans were given senator for Cass county, and a float senator for Cass, Sarpy, Saunders and Butler counties; also two representatives for Cass, the democrats the other two representatives. The following ticket was nominated:

Republicans—Senator for Cass, Lawson Sheldon; float senator, Willett Pottenger; representatives, D. L. Clapp and Rev. Joseph G. Cannon.

Democrats—Representatives, James M. Patterson and John Rouse.

Pottenger had previously announced himself an independent candidate for senator for the counties above named, and democrats seemed to think it would be great fun if they could assist Pottenger to defeat the regular republican nominee—A. R. Kennedy of Sarpy county.

This entire ticket was enthusiastically supported by democrats and a large part of the Cass county republicans. Every candidate received a handsome majority in Cass except Mr. Clapp, who was defeated by the late Frank M. Wolcott of Weeping Water.

The legislative act creating the senatorial district, composed of Cass, Sarpy, Saunders and Butler counties, provided that the county first named in the act should issue the certificate of election. This duty fell to the county clerk of Cass county, who at that time was Isaac Pollard and his deputy, Joseph M. Beardsley.

Now, Judge Pottenger was especially bitter against Senator Thayer. For some reason he blamed the senator for his loss of the office at Salt Lake City which he (Pottenger) had held under President Grant. It was not especially because Pottenger wanted to help make laws for Nebraska that he wanted to be state senator, but because he wanted to help defeat Thayer's reelection.

When Pottenger learned that he had carried Cass county by a handsome majority and believing, as nearly everybody believed, that he had carried the district by a good majority, although all the returns had not been received, he went to County Clerk Pollard and demanded his certificate of election, calling attention to the law governing such cases. Mr. Pollard, believing as did nearly everybody else that Pottenger had defeated Kennedy, issued to him a certificate of election, which Pottenger very carefully preserved.

But when the returns were received from all the counties in the senatorial district it was discovered that Pottenger wasn't elected, but the gentleman from Sarpy had captured the prize. Friends of Senator Thayer demanded the return of the certificate of election, but to this Judge Pottenger demurred and sustained his demurrer. All efforts to get that certificate of election out of Pottenger's inside vest pocket proved abortive.

The legislature convened the following January, and Pottenger was one of the first to select a senatorial seat in the senate chamber. It was discovered when the returns from the state were canvassed for senators and representatives, that Pottenger with his certificate of election carefully guarded, held the key to the senatorial situation.

With his opponent, Mr. Kennedy in Pottenger's seat, then Thayer was presumed to have clear sailing. But Senator-elect Pottenger—on the face of the returns from Cass county, wouldn't yield. There were many members of both houses in sympathy with Pottenger's object—the defeat of Thayer. Thayer lobbyists from different parts of the state poured into Lincoln. Pottenger was the most conspicuous member of the senate—on the face of the returns from Cass county. He presented his certificate of election, issued by County Clerk Pollard and took the statutory oath as senator, and it is believed, also supplemented this oath with another not of record, that was, to defeat Senator Thayer. Pottenger was roundly, deeply cursed and damned by the Thayerites, while the anti's warmly commended his heroic stick-to-it-iveness. A heavy Thayer delegation was in attendance from Omaha. It is said that among this delegation were some who tried to coax Pottenger to let go of that certificate of election; others held out glowing pictures of further and much higher political elevation, if he would yield that certificate of election, resign and go back to Plattsmouth; others cursed and anathematized. It is said that an Omaha Thayer delegate approached Pottenger while he was sitting in that coveted senatorial seat and addressing the senator-elect—on the face of the returns from Cass county—spoke as follows: "Now, 'Pot,' while you carried Cass county by a majority most flattering to yourself personally, yet Kennedy carried the district by a good majority and was the choice of the people of that district for state senator. You know you were not elected and can't hold that seat." Pottenger, with that characteristic combination of twinkle and twist of his eyes, and a squirt of ambler through his teeth, replied in his witty, caustic manner: "Any damn fool can hold an office when he is elected, but it takes a G—d d—n smart man to hold one when he isn't elected." Pottenger was senator *de facto* if not *de jure*. All efforts to oust him by coaxing, flattery, threats and curses availed nothing. His stoicism,

his adhesiveness, thoroughly glued Pottenger to that senatorial seat.

The republicans canvassed for a candidate for United States senator. They failed to nominate. On January 13, 1871, a vote was taken in each house, but no choice, Thayer receiving only three votes in the senate and thirteen in the house.

On the 18th following a second joint ballot was taken, giving Phineas Warren Hitchcock 29 votes, John Milton Thayer 16, and Alvin Saunders 6. This ballot defeated Thayer and elected Hitchcock, who took his seat as United States senator on March 4, 1871.

After the senatorial struggle ended, Senator Pottenger, without having participated in the making of any laws, resigned his seat as senator and came home, while his competitor, Mr. Kennedy, was duly sworn in as senator from Senator Pottenger's recent district.

Pottenger, in securing his certificate of election under the technical forms of law, showed political shrewdness as well as more or less audacity. He became a candidate, not for profit, nor political honors, nor to satisfy an ambition to be one of the lawmakers of the state; but to accomplish a purpose, to attain an end political alone in its consequences. And whether his grievance was real or fancied, the defeat of Senator Thayer was largely due to Senator *de facto*, Willett Pottenger.

MONUMENT DEDICATION PROGRAM

Principal Address to be Delivered by Ex-President Cleveland.

The official program of the unveiling exercises of the Arbor day memorial monument has been completed. The exercises will begin at 2 o'clock Saturday, October 28. Former President Grover Cleveland will deliver the principal address and his time will not be limited. The other speakers will be given fifteen minutes each.

The speakers' stand will be east of the monument and seats which will accommodate 15,000 people are being built in front of the stand. Mr. Cleveland and the former members of his cabinet will arrive at 9:30 Saturday morning and will be driven in carriages to Arbor lodge, where they will be the guests of Joy Morton.

The program as arranged is as follows:

Presiding officer, John W. Steinbart, chairman executive committee Arbor Day Memorial association.
Music, Nelson's band.
Invocation, Rev. A. L. Williams, D. D.

Address of welcome, Hon. John H. Mickey, governor of Nebraska.

Address, Hon. Grover Cleveland.
Address, Hon. Hilary A. Herbert.
Address, Hon. Judson Harmon.
Address, Hon. David R. Francis.
Address, Hon. Adlai E. Stevenson.
Address, Dr. George L. Miller.
Benediction, Dr. James G. K. McClure.

Unveiling Arbor day memorial monument to the author and founder of Arbor day, J. Sterling Morton, by his eldest grandson, Sterling Morton.
Music, Loeb's Concert band.

Accident at Weeping Water.

Last Saturday afternoon J. C. Lehman, car inspector of the Missouri Pacific at Weeping Water, was assisting in clearing up the wreck at Hener's quarries, five miles east of here. Men were trying to pull the tank out of the ravine. The chains broke and a section of the broken link hit Mr. Lehman on the left arm just below the shoulder and took out a piece of the muscle about the size of a walnut, then glanced and struck him in the side breaking two ribs. He was brought to his home here, and Dr. Hungate, the railroad surgeon, dressed the wounds.

Mr. Lehman's condition was serious for some time as he spit blood and internal injuries were feared, but he has greatly improved and will be out in a few days.

Plattsmouth Wins.

The Nebraska City high school boys returned Saturday evening from Plattsmouth where they played with the high school team at that place and were defeated by a score of 8 to 0. The boys say they played too fast for the referee and being called down several times lost the game. They are confident they can defeat the Plattsmouth boys and want another try. They defeated them once and feel it in their bones they can do it again.—Nebraska City News.