

COUNTY ATTORNEY FILES COMPLAINT

Against John Clarence For Murder of John P. Thacker

County Attorney Ramsey this afternoon filed the formal complaint against John Clarence, charging him with the murder of John P. Thacker, near Murray on January 15, last. The complaint charged murder in the first degree, alleging malice and premeditation and alleges the infliction of two wounds—one in the chest and the other in the abdomen—either of which would have been fatal. The delay in filing this complaint was on account of the trial of Fred Osenkop and the tremendous amount of other work which has piled up in the county attorney's office. It is likely Clarence will be arraigned and allowed to plead this afternoon, although at the hour of going to press this had not been done. The complaint is filed before Justice Archer and is as follows:

COMPLAINT.
The State of Nebraska, in Justice Court Within and for the County of Cass, Before M. Archer, Justice of the Peace.

State of Nebraska, County of Cass, ss.
State of Nebraska, Plaintiff.

vs.
John Clarence, Defendant.

The complaint of W. C. Ramsey, County Attorney for the County of Cass, State of Nebraska, made before me, M. Archer, a Justice of the Peace within and for the County of Cass, in the State of Nebraska, who being by me first duly sworn, on oath deposes and says that John Clarence, on the 15th day of January, A. D., 1909, in the County of Cass, in the State of Nebraska, in and upon one John P. Thacker, then and there being, unlawfully, purposely and feloniously and of his deliberate and premeditated malice did make an assault, with the intent, him, the said John P. Thacker, unlawfully, purposely and of deliberate and premeditated malice, to kill and murder, and that the said John Clarence, a certain pistol or revolver, then and there charged with gun powder and leaden bullets, which the said pistol or revolver, he, the said John Clarence, in his right hand then and there had and held, and then there, unlawfully, purposely and of his deliberate and premeditated malice did discharge and shoot off, to, at, against and upon the said John P. Thacker; and that the said John Clarence, with the leaden bullets aforesaid, out of the pistol or revolver aforesaid, then and there, by force of the gunpowder aforesaid, by the said John Clarence discharged and shot off, as aforesaid, then and there, unlawfully, purposely and of his deliberate and premeditated malice, did strike, penetrate and wound, with the intent aforesaid, thereby, then and there giving to the said John P. Thacker, in and upon the chest of him, the said John P.

Thacker, one mortal wound, penetrating the body of him, the said John P. Thacker, and thereby, then and there giving to the said John P. Thacker, in and upon the abdomen of him, the said John P. Thacker, one mortal wound, penetrating the body of him, the said John P. Thacker, of which said mortal wounds, he the said John P. Thacker, on and from the said fifteenth day of January, in the year aforesaid, until the twenty-first day of January, in the same year, in the said County did languish and languishing did live on which said twenty-first day of January, in the year aforesaid, he, the said John P. Thacker, in said County, of the mortal wound or mortal wounds aforesaid, died; and that he, the said John Clarence, the said John P. Thacker, unlawfully, purposely and of deliberate and premeditated malice did kill and murder, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Nebraska.

There is little probability that Clarence will have a preliminary examination inside of thirty days, as he is entitled to that length of time by making a showing. County Attorney Ramsey will oppose any attempt to postpone the hearing, but the filing of the proper affidavits by the defendant, makes it mandatory on the court to grant the continuance asked. District court being in session at present an examination held now and a finding by the court of probable cause for holding the defendant for trial would put the state in a position to file an information in district court and possibly secure a trial at this term.

Byron Clark, attorney for Clarence, was engaged in the district court today and a statement as to his probable course could not be obtained. Should the continuance be taken, the defendant will have to remain in jail until the hearing was had. No bond can be accepted under the charge of murder in the first degree, and the binding over of the defendant means that he will have to remain in jail until the trial, which will probably take place in May or the early part of June.

The widow and children of the deceased have engaged Matthew Gering to assist in prosecuting the case, and it will be a red-hot contest when it comes on for trial. As Mr. Gering will be engaged in the Banner murder trial at Omaha next week, it is improbable any preliminary could take place at that time.

Clarence is taking his confinement very well, although he naturally shows some anxiety to get out of jail. He realizes, however, that it may be some time before he is able to do this, and in consequence takes the matter more philosophically than he would otherwise.

Lost in Blizzard.
Elmwood, Neb., Feb. 16.—Last Saturday during the absence of her parents, the fifteen year old daughter of Mr. and Mrs. John Wise of Weeping Water, started out afoot for the home of her grandmother, Mrs. Mary Irons, who resides in this city. She did not bundle up any to speak of and had been out in the blizzard about five or six hours when discovered by George Kunz, two miles northwest of Elmwood, at dusk. She had lost her way and in becoming bewildered was wandering about, almost frozen. Mr. Kunz took her to his home and sent for a doctor, who cared for her. Her face and hands were badly frozen, and one finger may have to be amputated. She walked all the way from Weeping Water, a distance of twelve or thirteen miles, and had not Mr. Kunz discovered her when he did she would soon have frozen to death. Her mother had gone from Weeping Water out into the country after another daughter, who was teaching school, but on account of the blizzard did not come home till the next morning, when she first learned of her daughter's absence. She came to Elmwood as soon as notified and is caring for her daughter at the home of Mrs. Irons.

Suffering and Dollars Saved.
E. S. Loper, of Marilla, N. Y., says: "I am a carpenter and have had many severe cuts healed by Bucklin's Arnica Salve. It has saved me suffering and dollars. It is by far the best healing salve I have ever found." Heals burns, sores, ulcers, fever sores, eczema and piles. 25c at F. G. Fricke & Co.'s drug store.

WOMEN IN SUIT

Mrs. Mary Latky Trying to Oust Mrs. Mayme Cleaver From Office

Mayme Cleaver, present grand chief of the Degree of Honor, who is the defendant in the district court in a suit of ouster brought by Mary Latky, former head of the fraternal order, declared in her answer Saturday to the petition of the plaintiff that the voluntary surrender of said office estops her from maintaining an action.

The defendant says that the plaintiff did not contest or protest her election to the position of grand chief of honor, and did not appeal to the grand lodge when the result of the election was announced.

The suit is the outgrowth of a lively and somewhat bitter contest for grand chief of the feminine auxiliary to the United Workmen at the biennial session of the grand lodge of the Degree of Honor in this city last October. There were three candidates but the real struggle was between Mrs. Mayme Cleaver of Neligh and Mrs. Mary Latky, of Lexington, then at the head of the order. Two hundred and eighty-five votes were cast, and of these Mrs. Cleaver received 143, Mrs. Latky 137, and Minnie McGahn 5 votes. Mrs. Latky had three terms of office as chief, of two years each, having been elected first in 1902.

At this time Mrs. Cleaver was pitted against her. When Mrs. Cleaver was successful in being elected, Mrs. Latky brought suit in the district court to compel the defendant to surrender the office and turn it over to her on the ground that her election was void. It was charged that Dr. J. C. Mosshart had been allowed to vote, when he did not have a right to cast a ballot, under the provisions of the constitution. Mrs. Latky contended that if the vote of Mosshart had not been counted, as it should not have been, the race would have been a tie and she would have held the office until her successor was duly elected and qualified.

In her answer the defendant comes back at the plaintiff by declaring that when the last ballot was taken the vote of one H. M. Waring was cast and counted for Mrs. Latky and he was not a qualified elector of the lodge and was not entitled to cast a ballot in the contest.

Mrs. Cleaver points out that prior to her installation Mrs. Latky resigned and voluntarily surrendered the office of grand chief, and that Maria A. Smith, a member of the grand lodge was duly elected to the position for the unexpired term, to fill the vacancy caused by the resignation of the plaintiff, and presided over the deliberations of that body until the installation of the defendant.

Judgment is prayed for, with the action of the plaintiff dismissed and that the defendant may recover her costs.—Lincoln News.

To Prevent Removal.

A bill has been introduced in the Colorado senate to prevent the removal of the general offices of the Colorado & Southern from Denver. It has been rumored that the headquarters of the road may be consolidated with those of the Chicago, Burlington & Quincy at Chicago.

The Burlington has ordered five dining cars and four club cars of the Pullman company. The club cars are said to be of a new design. These cars are to be used in the through trains on the main lines in the west, according to report, when the May schedule goes into effect. The company is also negotiating for twenty-five chair cars.—State Journal.

Has Finger Badly Mashed.

Last Monday afternoon William Morley, an employe of the blacksmith shop at the Burlington shops, suffered the misfortune of having the index finger of his right hand badly mashed. The condition of the finger is so bad that it is more than probable it will have to be amputated. This news will be heard with regret by Billy's many friends in the city where he has lived so long. The accident was one of the unavoidable kind and the attending surgeons are using every effort to save the finger but with small hopes of success.

Elmwood.

Charles Cook and wife, of Plattsmouth, visited at the John Dreamer home this week.

Prof. J. W. Gamble has been re-elected superintendent of the Plattsmouth schools for the next year. Mr. Gamble has also been selected a member of the faculty on the summer school of the State University a high compliment to Mr. Gamble's ability as an educator.—Elmwood Leader-Echo.

W. N. Minford, one of the jurymen came in yesterday from his home at Elmwood and was a guest of the Perkins.

South Bend

(Special Correspondence.)

The M. W. A. dance and supper was well attended in spite of the cold weather. The music for the occasion was furnished by the Jacobs orchestra of Omaha.

The A. O. U. W. lodge initiated two members Saturday night. After the meeting coffee and sandwiches were served and card playing made up for the balance of the evening.

John Campbell and his brother-in-law and sister-in-law were passengers to Sioux City, Ia., Monday.

The box social given by the school was well attended Wednesday night. They realized \$21.75 which will be used for the purchase of books for the school library. The highest box brought \$3.00.

Mrs. J. E. McHugh visited at Wabast Saturday and Sunday.

Mamie Beneker spent Sunday at home this week.

B. F. Dill, Willard and Bert Dill and wife were in Omaha visiting Saturday.

A smoker was given at the home of J. O. Lansing in honor of J. O.'s 60th birthday. Refreshments were served and a very enjoyable time was reported. Mr. Lansing was presented with a fine nickel plated reading lamp by those present.

John Magner made a business trip to Ashland Monday.

Mrs. J. O. Lansing was an Ashland passenger recently.

A few of the young folks attended the masquerade ball at Murdock Monday night.

Jerry McHugh received a letter from E. Sturzenegger Monday and he is thoroughly enjoying the Mexican climate. Mr. Sturzenegger is located about 75 miles from a railroad and his nearest town is 15 miles from their camp. He states that he is feeling fine and is worked down to solid weight. He is located in a stone dwelling, has a nice front yard, with several umbrella trees in front, so by his letter he is certainly enjoying his time while there. "Paddy" Lish is working down there for Mr. Sturzenegger. He is getting along fine with the Mexicans but finds some trouble in conversing with them. Great improvements are going on in the surrounding country and they have some trouble in getting plenty of water. The property where Mr. Sturzenegger lives has plenty of water to run ten hours each day. When they have new pumps installed they will be able to work day and night and make more progress.

Chas. BHH was an Omaha passenger Monday.

Returns From Trip.

W. J. Lorenz, who left on January 28th, for a visit with his cousin, Mrs. H. J. Podlesek, at Chicago, Ill., returned home this morning. He had a very delightful trip, and during his stay, took in many points of interest in the big city by the lake. H. J. Podlesek, the husband of his cousin, is manager for the Aermotor Company, a large business concern of that city, and is one of the prominent business men of Chicago. Mr. Lorenz regretted to have to cut his stay short, but urgent business matters compelled his return to the city.

Charles Lorenz, a brother of W. J. L. W. E. A. and Frank Lorenz, of this city, came in yesterday to make a visit of several days with them. He has just disposed of his farm near Tobias, Neb., and is going to change his location, taking a short vacation before completing the change.

Elmwood.

James A. White received a message this week announcing the death of Mrs. White, widow of the late Capt. James White, at the home of her son Luslan Dettor, in Virginia, where she went early in January to make her home, but it is presumed her death was caused by pneumonia. Interment will be in Virginia.

Coroner G. I. Clements was called to Union Sunday evening to hold an inquest over the remains of Thomas G. Barnum, the man killed in the Missouri Pacific wreck Sunday morning. The coroner's jury after viewing the scene of the wreck and examining the witnesses, brought in a verdict "that said Thomas G. Barnum came to his death by a fracture of the skull received in a wreck on the Missouri Pacific railroad at the Y north of Union, Neb., about 10:45 a. m., February 14, 1909."

There is quite an epidemic of pneumonia among the children of Elmwood and vicinity, no less than a dozen of the little folks having had the disease in a severe form the past ten days. Both Dr. Neely's children and two of Dr. Munger's are sick. Dr. Munger's three-months-old babe is lying at the point of death, having developed spinal meningitis. The doctors worn out caring for their own families and have had to call on neighboring doctors to attend to a portion of their calls.

For Sale or Rent.
38 acres adjoining Plattsmouth. WINDHAM INVESTMENT CO.

COUNTY BOARD IS VERY BUSY

Grind Out Large Number of Claims and Approve Bonds

Plattsmouth, Neb., Feb. 16, 1909. Board of county commissioners met in regular session, with all members present. Minutes of previous meeting read and approved, whereupon the following business was transacted in regular form:

Bond of Dr. J. W. Brendel, county physician, District No. 3, approved.
Bond of Dr. N. D. Talcott, county physician District No. 1, approved.
Bond of Dr. J. F. Brendel, county physician, District No. 5, approved.
Bond of Dr. M. M. Butler, county physician, approved.
Bond of Henry Snoko, road overseer, District No. 6, approved.
Dr. I. C. Munger was this day appointed county physician District No. 6, for the year at salary at \$50.00.
Resignation of Dr. E. D. Banghart county physician District No. 4, accepted.

Petition asking for a liquor license to Andrew Thompson to sell malt spirituous and vinous liquors at Cedar Creek, Eight Mile Grove precinct, filed February 1, 1909, same was laid over for future meeting.

Claims allowed on the general fund:

James Robertson, State vs Frank	\$ 4 95
James Robertson, State vs Wm Riley et al	20 65
Wm Baird, same	12 60
C D Quinton, witness same	4 00
C H Wilson, same	7 50
Guy McKeen, same	2 00
W L Pickett, same	4 00
Ben Rainey, same	4 00
E Manspoker, same	4 00
Clyde Jones, same	2 00
J R Denison, same	2 00
C A Rawls, same	4 00
Geo. Brand, same	7 50
L B Egenberger, same	4 00
Frank McElroy, same	2 00
J E Barnes, State vs N C Klepser et al	5 75
James Robertson, same	3 75
W E Rosencrans, recording	15 00
W C Ramsey, salary for January	83 23
L D Switzer, same	18 50
G R Jordan, same	20 00
M L Friedrich, same	18 40
J R Hall, salary County physician	48 50
Diers Bros, mds to poor, Wm News-Herald, printing	16 21
E A Wurl, mds to poor	3 50
C B Jordan, same	10 00
Neb. Tel. Co. tolls and rent	25 00
M Archer, State vs John Peterson, Cameron	4 25
C D Quinton, witness same	3 20
E H Wescott, witness same	1 00
Ben Rainey, same	1 00
John Jordan, same	1 00
M Archer, State vs R Haines	4 25
C D Quinton, same	2 10
Oliver Typewriter Co. ribbons	12 50
Plattsmouth Tel. Co. tolls and rent	25 40
C D Quinton, boarding city prisoners	9 50
C D Quinton, salary and boarding county prisoners	41 80
Joe Mullen, salary Soldiers Relief	16 22
Geo N. Latky, same	46 22
J W Johnson, same	16 32
Ed Roberts, witness Osenkop case	10 70
Mrs. H. Kottelbusch, same	11 10
Frank Hursh, same	9 60
Ed Wechter, same	8 70
Aug Jordan, same	9 10
Frank Hardy, same	10 70
Wm Ivey, same	10 70
Wm English, same	9 40
Joseph Hansen, same	10 70
J T Lvall, same	10 70
Geo. Vanney, same	5 60
Alvin Schraeder, same	10 00
Dech Hursh, same	8 70
Frank Clements, same	8 70
Geo. Oberle, same in full 1908	10 00
Max Spahnley, same	10 90
Neb. Lighting Co. gas and repairs	1 70
Platte Mutual Insurance Co. Ins	32 57
Streight & Streight, burial of dead	5 00
E E Schaefer, juror certificates	20 70
James Robertson, feet State vs Homer Foster	33 75
C D Quinton, same	7 50
Louis Bachler, same	18 20
A L Tidd, said reporter same	29 50
L Tidd, transcript same	10 00
James Robertson, Bal same	10 00
James Robertson supreme court costs same	16 80
Lawrence Smith, witness same	4 00
Jason Fountain, same	4 20
H C Hansen, same	4 20
J W Berger, same	4 20
James Robertson, same	3 00
A L Tidd, same	3 00
C D Quinton, same	5 00
Dr. H B Jones, same	2 00
Dan Phelps, same	4 70

Jesse M. Robertson, same	2 00
John Foster, same	15 00
W S Kittrell, same	4 30
Dr J B Martin, same	4 30
H E Weideman, mds, refused	4 00
L P Mayfield, printing to county	7 75
Judge	29 00
C H Smith, postal supplies	25 44
G R Olson Co, photograph John Thacker	9 00
W C Ramsey, expense Osenkop and Thacker murder cases	29 82
Claims allowed on the road fund:	
A P Seybert, road work R D No. 2	1 50
W C Bartlett, same 15	16 00
Geo. Van Horn, same 2	7 75
M Sulzer, same 1	13 50
Wm. Stohlman, same 8	25 90
W H Seybert, same 2	7 75
Geo Pick, same 2	1 50
Geo. A B Hicks, same 2	8 00
Edmunds & Brown, lumber 10	100 00
Board adjourned to meet Tuesday, March 2nd, 1909.	
W. E. Rosencrans, County Clerk.	

A \$200 Diamond Ring.

Good news to the Ladies of Plattsmouth and vicinity. A telegram has been received by M. Fanger from the Wooltex people, to be sure and close out every winter coat on hand, and keep up his good record. They state that M. Fanger is now in the lead in the \$200 diamond ring contest, which the Wooltex people offered to the best selling agent in the state of Nebraska in towns of not over 6,000 inhabitants.

For a while this hard fight seemed to lie between M. Fanger and a merchant of Wahoo but the last announcement is that M. Fanger has them all skinned.

In order to keep in the lead and not let the other fellow get in on the home stretch, I want my friends to help me and I will help them. I will offer for this week only the greatest sacrifice you have ever heard of.

I offer any Wooltex coat in the house, the usual price of which ranges from \$15.00 to \$25.00 for \$9.98 and 11.98.

Just think of it—so please hurry before they are picked over and select your style. Children's coats can be had at almost your own price.

From the West.

Chas. Kinne, of Chloride, Arizona, an old-time Silver City, Iowa, friend of The Journal man arrived in Plattsmouth today for a few hours' visit with his grandfather, Mr. Kinne, known as Grandpa Kinne, residing with his daughter, Mrs. Vroman in the western part of the city. We were indeed glad to see Charley as he has always been one of those wholesome, good fellows, that it is always a pleasure to meet, and one of the best friends the Journal man ever knew. He has been in Arizona for the past seven years, where he has been interested in mining business of various kinds, for some years holding a position with one of the large mining corporations as assayer, but of late years has been interested in mining propositions in his own behalf, and we are pleased to say has been one of the few successful ones.

In County Court.

A petition was filed yesterday in the county court asking for the appointment of Jacob H. Shepherd as administrator of the estate of Eliza S. Shepherd, deceased. The petition sets up that deceased died at Denver, Col., on Aug. 9, 1909, and that she was possessed of property valued at \$16,000. The heirs to the estate with their place of residence are given as follows: Hamilton D. Shepherd, Humboldt, Ariz.; Delilah R. Williams, Renfrow, Okla.; Bernard U. Shepherd, Hemmingford, Neb., and Jacob H. Shepherd, Renfrow, Okla.

Arthur Sullivan came in from his home this morning and was a passenger on the mail train for Omaha, where he will consult the eye specialist who is treating him.

JUST RECEIVED

A Fresh Stock of

BULK CANDY

The kind that makes your mouth water

Gering & Co.

Druggists