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Corn to Yield Seventeen Bushels to the Acre

Believe Crop to Come Up to Oct. 1 Expectations—Wheat Acreage Below Standard.

Nebraska's corn yield will equal the Oct. 1 estimate of seventeen bushels per acre, according to Nebraska bankers in their mid-month report to the division of agricultural statistics.

The Oct. 1 condition of corn was 51 percent and the estimated yield, seventeen bushels per acre which would produce a crop of 171,632,000 bushels against 247,106,000 bushels last year.

Moisture supplies are generally insufficient. East central and south-eastern Nebraska report sufficient moisture, but all other sections are still much in need of additional rains.

The general level of prices being received by farmers remains about the same as a month ago. Corn prices declined about four cents per bushel during the past month.

FOR SALE

Two h. p. General Electric motor. \$25 cash. 024-11w-2td E. J. WEYRICH

The regular standard grade of history paper 40c per ream, not a special sale light weight article, but high quality, marked at a close price, at the Bates Book and Stationery Store.

This agency will sell you the best possible automobile insurance. See 'The Early Bird'

Everybody Else is Going to Platts, Oct. 28-29

Searl S. Davis Plattsmouth Phone 9

Early History of Plattsmouth is Recounted

Continued from page one.

on the grounds that "he didn't have time." There were 626 votes cast in this ward of which 652 were in favor of the bonds while the petitioners asserted that there were only 400 legal votes in the ward.

In concluding its citation of fraudulent votes, the plaintiffs stated that in Plattsmouth Ward Four there were 503 votes cast, all in favor of the bonds and that there were only 350 qualified electors in the ward.

Leaving the city in its allegations of malconduct, the complaint cited Eight Mile Grove precinct, claiming 20 illegal votes were cast but citing no names.

Turning to another phase of complaint, the petition charged that in Plattsmouth Ward One that "an early hour at said election and before noon."

Turning to another phase of their fraud claim, the plaintiffs claimed that Plattsmouth citizens obtained votes for the bonds by the use of a slush fund of \$1500 and by threats and intimidation.

Turning to another phase of their lengthy petition, the plaintiffs pointed out that the law approved February 26, 1889, whereby a simple majority was permitted to float bond issues was unconstitutional and that a two-thirds majority was necessary.

For these reasons, the petition asked the court to set aside the election, null and void. On June 29, 1889, the plaintiffs filed bond of \$1000 and July 1, the defendants were officially notified of the action.

In further answer to the charges of the plaintiffs, the defendants filed a cross petition in which fraud and irregularity in Weeping Water were cited. It was alleged that there were only 300 legal voters in the town of Weeping Water but that 446 votes were reported.

In Weeping Water precinct, 95 illegal votes were claimed and 111 were named. It was further charged that there were 10 illegal votes cast in Louisville precinct and 50 in Liberty precinct.

Frank Carruth, city clerk, as the second defendant named in the petition of the contestants, also filed a separate cross complaint which was substantially the same as the one just referred to by the Commissioners.

Finally, the third defendant named in the original complaint, the City of Plattsmouth, filed a separate answer through its attorney Byron Clark on August 3, 1889. It con-

cluded largely the same allegations brought out in the answers of the other two defendants with a general denial of all the claims of the plaintiffs.

To further becloud the legal horizon and the maze of charges and allegations surrounding the contest, each of the plaintiffs filed replies to the answers of the Commissioners, the City and Mr. Carruth.

After citing at considerable length the claims and counter claims of the parties to the bond contest, we are now ready to examine the action taken by the courts in disposing of the case. Counsel for defense made a legal move to bring the litigation to an end on December 12, 1899 when a motion of non-suit was made on the ground that there was not sufficient evidence to justify a trial.

It will not be necessary to go into the voluminous record of testimony and evidence submitted at this trial for it all affirmed or denied in a rather general way the allegations already referred to in the complaints, cross petitions and answers. In addition to which, Supreme Court Justice Samuel Maxwell's opinion on the case on appeal admirably summed up this will be made.

In the latter part of December, 1889, Judge Broady delivered his opinion. He held that the general allegation of fraud advanced by the plaintiff was sufficient to justify the evidence of fraud and accordingly set aside the election and assessed the costs of \$375.98 to the defendants.

The case was immediately appealed to the Supreme Court but this is a slow process and it was not until the September, 1890 term that this tribunal reviewed the evidence and ruling of the lower court. On January 17, 1891, Justice Samuel Maxwell handed down the opinion of the appellate court.

The other figure used by the plaintiffs to show that the 2,296 votes polled for the bonds in Plattsmouth was too large was the school census of 1890 which listed 1,283 children of school age in the city.

In attacking this ruling on the facts just cited, Justice Maxwell pointed out that the testimony of the defendants showed that there was construction in street and sewer work going on in Plattsmouth during 1889 and 1890 and that this could be accepted as explaining to a large degree the increase of population during that period.

The field of corn chosen for the contest is in excellent condition. The rows are eight rods long and the field is very uniform and free from weeds. The yield has been estimated by several to be 50 bushels per acre.

Six men are already entered and preparations will be made to accommodate ten contestants. Entries will close Saturday night, October 24.

MOBILIZES FAMILY FORCES

London—Prime Minister MacDonald mobilized his family forces on Friday night for a final cannonade of oratory before the general election next Tuesday.

REVERSE OLD ORDER; HIKE EMPLOYEES WAGES

Omaha—A 5 percent increase in the wages of all employees, described as a gesture of appreciation of their cooperation and an indication of confidence in the future, was announced Friday night by officers of Ruedy's store here.

PLATE SUPPER AND PROGRAM

Plate supper and program Wed. Oct. 28 at Woodbine school Dist. No. 29. Everyone welcome. 024-2td-11w-MARIE MEISSINGER.

legal votes were cast. It was his duty to have found out." For these reasons, Justice Maxwell held that the prof was not sufficient and ordered the decree of the lower court reversed and the case dismissed.

The counsel for the plaintiffs made one more effort to succeed with their cause in the courts. January 13, 1891, a motion for a re-hearing of the case was filed with the Supreme Court.

Had the proof shown that the votes cast in 1887 and 1888 were but 1300 and that the voters cast at the general election in 1889 were about 1300 and that this number swelled to 2200 in the bond election, it would seem irrefragable that the increase was by fraud. Therefore again, because the evidence was not sufficient to justify the verdict, the motion for a re-hearing was overruled. This decree closed the county seat question as far as the courts were concerned.

(To Be Continued)

Arrest Four After a Chase Thru Auburn

Police Claim Quartet Confess Stolen Car to Hold Up Station at Falls City.

Auburn—After a chase of several miles, starting down the main street of Auburn, Friday night, Sheriff J. C. Broady apprehended four men who later confessed he said, the driver of the automobile in which they were riding, and admitted the holdup of a Falls City filling station.

The men gave their names as Eddie Carr, and James Walls, both of Omaha, and Wilmer Robinson and George W. Smith, both of St. Joseph, Mo. The winner of the contest will enter the state corn husking contest which will be held November 9, about four miles west of Schuyler in Colfax county.

COUNTY CORNHUSKING CONTEST

Wednesday, October 28. The Cass county corn husking contest will take place at one o'clock Wednesday, October 28, at the Frank Taylor farm, one half mile south of Alvo.

The field of corn chosen for the contest is in excellent condition. The rows are eight rods long and the field is very uniform and free from weeds. The yield has been estimated by several to be 50 bushels per acre.

Fourteen in Cast of Legion's Benefit Play

Some of Best Amateur Theatrical Talent in Vicinity to Appear in "The Early Bird."

THE CAST CYRUS B. KILBUCK, Carl Schneider President of P. D. Q. Railroad TONY KILBUCK, Jean Spangler His Son, Just Out of College MR. BARNABY BIRD, Dr. G. L. Taylor The Boss of Flagg County MR. MULBERRY, John Svoboda Chief Attorney for the Road BRUCE FERGUSON, Walter Gabriel Clerk in the General Offices ARTIE, Edward Wehrlein An Office Boy MR. PERRY ALLEN, John Turner Young Gentleman Farmer JESSAMINE LEE, Madge Garnett The Girl MRS. VAN DYNE, Ruth Janda An Agent for the Railroad IMOGENE McCARTY, Janet Vallery A Stenographer MRS. BEAVERS, Mrs. J. A. Capwell From Flagg Corners ROSA B. BEAVERS, Mary Beverage The Belle of Flagg Corners MRS. PERRY ALLEN, Edna Herring Jessamine's Chum DILLY, Margaret Shellenbarger-Hirz Mrs. Beaver's Hired Girl

"An Early Bird," a modern American comedy built along business lines, is to be presented at the Platz theatre Wednesday and Thursday evenings, October 28-29, under auspices of the American Legion as a benefit for its community building indebtedness.

The hero of this play is a light-hearted, merry college boy, Tony Kilbuck (Jean Spangler) who is being trained in a systematic manner by his father, Cyrus B. Kilbuck, president of the P. D. Q. railroad (Carl Schneider). The father thinks his training will result in making Tony a wonderful business man, but "the best laid plans of mice and men gang aft agley" and Tony becomes involved in debt and is expelled from college.

The P. D. Q. railroad plans an extension across Flagg county and there are two routes possible, the River road and the North road. Both are owned by a pompous old flirt, one Barnaby Bird (Dr. G. L. Taylor). Tony gets inside information that the River road is to be chosen and with the help of the faithful Jessamine, buys that road from the prudent Mr. Bird, who knows that the extension is going in over the North road.

Mrs. Van Dyne (Ruth Janda) is purchasing agent for the road, and Bird, mistaking Jessamine for her, is forced to believe that Ferguson deceived him and that the P. D. Q. is going to buy the River road and not the North road. In desperation, he offers Tony his North road in exchange for the latter's River road and \$1,000 to boot.

Mexico City—Details of a sanguinary battle last Saturday at Tlacapocayan, Vera Cruz, in which the mayor and twelve other persons were killed, were revealed in news dispatches Friday. The mayor, Manuel de Angel, learned that an assault would be made on the town hall, and immediately called upon all municipal employees, who turned the building into a fort.

HOLD CLUB MEETING

Review club held their project meeting of the new project at the home of Mrs. Frank Slagel Thursday afternoon. The subject this year is on making the home attractive. The first lesson "Worth While Pictures For the Home."

FOR SALE

At the Chas. Garrison farm on Highway No. 76, Union, Neb., 13 Spotted Poland China hogs. Prices reasonable.—John Roddy. 023-31w

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At the Chas. Garrison farm on Highway No. 76, Union, Neb., 13 Spotted Poland China hogs. Prices reasonable.—John Roddy. 023-31w

Fresh and Smoked Meats

PRICE and QUALITY are always Right at BACH'S

In our desire to be of greatest service to our patrons, we have put in a complete line of Fresh and Smoked Meats. Phone us your order for Meats and Groceries. Free delivery to any part of the city. Telephone 18 or 19.

Table with 2 columns: Bacon Squares, Dold's—Per Lb. 12c; Pure Kettle Rendered LARD, 3 lbs. . . 35c

Dold's Sterling Bacon—Per lb. . . . 19c

Advo Pancake Flour, 3 1/2-lb. bag 19c

Navy Beans, fancy, 6 lbs. for 25c

Pinto Beans, 4 lbs. for 25c

Kamo Mince Meat, 9-oz. pkg. 13c

Chile Con Carne, 1-lb. cake 20c

Walker's Chile, 2 cans for 25c

Macaroni, 4 pkgs. for 25c

Gold Dust, large pkg. 23c

Buter Nut or Advo Coffee, per lb. 37c

Table with 2 columns: Apples, Jonathans, per Bushel 80c; Grimes Golden, Bushel \$1; Potatoes, Red River Early Ohio, 100-lb. Sack for \$1.40; Per Bushel 90c

Table with 2 columns: Flour and Feed, Bran, per 100-lb. sack 75c; Shorts, per 100-lb. sack 85c

Table with 2 columns: SELECT Oyster Shell, 100-lb. Bag for \$1.25; JUBILEE Laying Mash, 100-lb. Bag for \$1.50

Table with 2 columns: Gooch's Flour, 48-lb. bag 99c; Omar Wonder Flour, 48-lb. bag 99c; Little Hatchet Flour, 48-lb. bag 89c

A. G. BACH Quality Groceries Telephones, 18-19 So. Park Store, 118 Don't Fail to See 'The Early Bird' American Legion's Home Talent Farce Comedy

TWELVE KILLED IN BATTLE Mexico City—Details of a sanguinary battle last Saturday at Tlacapocayan, Vera Cruz, in which the mayor and twelve other persons were killed, were revealed in news dispatches Friday. The mayor, Manuel de Angel, learned that an assault would be made on the town hall, and immediately called upon all municipal employees, who turned the building into a fort.

Cheer Up! Dress Up!

Either will help you do the other. We're back to the low prices of 15 years ago. . . . You can now put on the suit you have been "putting off" buying for so long.

Sensational Values at \$17, \$19, \$21 Good Overcoats \$15 Up

WESCOTT'S Don't forget "The Early Bird" Reserve Seats at Maury's Starting Monday at 9 Reserve Seats on sale Monday at Maury's