

THE PLATTSMOUTH WEEKLY JOURNAL.

"BE JUST AND FEAR NOT."

VOL. 13, NO. 4.

PLATTSMOUTH, NEBRASKA, THURSDAY, JANUARY 18, 1894.

\$1.00 PER YEAR, IF PAID IN ADVANCE.

GRAND JURY CALLED

District Judge Chapman Orders a Session for March 12.

PLATTSMOUTH'S THREE BANKS.

They Hold Annual Meetings, Elect Officers and Declare a Comfortable Dividend—Otoe County Will Have a Grand Jury.

The present term of district court which has been in session just one month, was adjourned sine die last Thursday, but before doing so Judge Chapman made the announcement in open court that the county commissioners were to draft a grand jury for the next term of court which commences on March 12. In connection with the announcement the judge strongly intimated that lawlessness was becoming entirely too frequent, and that a sitting of a grand jury might do much toward remedying the condition of affairs.

The drawing of the grand jury will be made by the commissioners at their February session, along with the drawing of the regular petit jurors.

Cass county has not indulged in a grand jury session for several years, and the shaking up of bones which will accompany the coming session will certainly occasion more than an ordinary racket. Hurried visits on business and prolonged pleasure trips will be quite the fad about March 1st.

The Plattsmouth Banks. The three banking institutions of Plattsmouth, in spite of the general dullness, have just closed a successful year. The usual custom of holding annual meetings and electing new officers in the second week of January was subjected to no change, and the result at the three banks was as follows:

BANK OF CASS COUNTY.
President—C. H. Parmele.
Vice-president—B. S. Ramsey.
Cashier—J. M. Patterson.
Assistant Cashier—T. M. Patterson.
Directors—C. H. Parmele, B. S. Ramsey, J. M. Patterson, T. M. Patterson, R. B. Widdham, F. R. Gutmann and A. B. Smith.

Dividend for the year—10 per cent.
CITIZENS' BANK.
President—W. H. Cushing.
Vice-president—J. W. Johnson.
Cashier—Fred Herrmann.

Directors—W. H. Cushing, J. W. Johnson, M. W. Morgan, Wm. Wettenkamp, Henry Eikenberry, W. D. Merriam and D. C. Morgan.

Dividend for the year—10 per cent.
FIRST NATIONAL BANK.
President—John Fitzgerald.
Vice-president—F. E. White.
Cashier—S. Waugh.

Directors—John Fitzgerald, F. E. White, S. Waugh, Geo. E. Dovey and D. Hawksworth.

Grand Jury for Otoe.

The clerk of the district court this morning received an order from Judge Chapman at Plattsmouth to draw a grand jury from the list of jurors selected by the county commissioners and presented to him. The commissioners selected the list of grand and petit jurors this morning and handed them over to the clerk, and some time next week the clerk of the district court and the sheriff will draw the list and summon the jurors for the February term of the district court, which meets in this city on February 15th. It is thought there are a number of matters that will be brought before this grand jury that need correction, and no doubt some of the boys will go fishing or hunting about the time the grand jury meets.—Nebraska City News.

Nebraska City's Railroad Suit.

What promises to be a hotly contested suit will soon be commenced between Nebraska City and the Chicago, Burlington & Quincy railroad. A year or so ago the city limits were extended eastward, taking in several hundred feet of the company's bridge. When the city treasurer attempted to collect the taxes on that part of the bridge lying within the city limits, the company refused to pay and sought a restraining order from the district court on the grounds that the extension of the city's limits was unlawful. The city attorney holds that the company should pay the tax, and then, if they wish to test the legality of the extension, sue for recovery. The case will be bitterly fought.

O. L. Rice, Mendota, Ill., writes: "Have used your Japanese Pile Cure and found it a sure and permanent cure."—Sold by Fricke & Co.

Big Judgments Against Mosher.

Last Thursday Judge Dundy of the United States court, now sitting at Lincoln, entered up judgments against C. W. Mosher, president of Lincoln's defunct Capital National bank, upon five suits instituted by Receiver Hayden. The judgments are in the sums of \$74,284.48, \$43,475, \$5,982.50, \$5,266.67 and \$2,224.35 respectively, the total amounting to something over \$141,000. Four of the judgments were secured upon Mosher's personal notes left with the bank when it closed its doors, and the fifth, for \$43,475, was the amount due the receiver upon the assessment of the stock held by Mosher and Outcalt jointly. The entering of the judgments by Judge Dundy was pro forma. Neither Mosher nor Outcalt were represented by attorneys, and the cases went by default. All of Mosher's property that can be found was levied upon today. Among the pieces of property is the residence at the corner of Fifteenth and K streets, one of the finest in the city. The property will not sell for near enough to satisfy the judgments, even if the receiver is able to hold it against the other attachments that have already been levied.

SHIRTS CLINGS TO LIFE.

Col. Harry Race of the Weeping Water Eagle dies a kickin'. In his issue of last week there appears an effusion commenting upon the good work which the Business Men's association of that town proposes to do, and in that connection makes another of his unkind thrusts at this metropolis in the following:

"In some places, similar organizations are held under the name of 'Board of Trade.' Our neighbors at Plattsmouth at one time had a board of trade. It was an active factor in the county seat and bond elections, it imported dagos, collected money, robbed graveyards of the names of the dead, annexed a part of Iowa to the state of Plattsmouth and fastened itself like an octopus on the supreme court, and for what? for a court house. Our association has never reached for that game yet, but when they do, it is to be hoped they will get it."

Carrier an Ex-Plattsmouthian.

It has developed that W. R. Carter, the feed merchant who attempted to fill the carcass of a competitor with lead at Havelock on Thursday night, is an ex-Plattsmouthian. Some fifteen years ago Carter was in the employ of the B. & M. as yardmaster at this point, and later on embarked in the grocery business on South Seventh street, where his place was burned about eleven years ago. In Thursday night's affair Carter's aim was poor and he missed his man. He was arrested Friday morning at Havelock, after spending the night in Lincoln, and at his preliminary hearing, which occurred before a Havelock justice in the afternoon, he was bound over to the district court in the sum of \$500 for shooting with deadly intent.

Affidavits in the Bill Case.

Before leaving for Utah last Friday morning Attorney Matthew Gering filed several affidavits with the clerk of the district court bearing on the application for a new trial for Murderer Hill. One affidavit, signed by Jud Vance and Albert and William Leuchtweis, declares that Juror Harvey expressed himself before the trial as believing the prisoner guilty. Landlord Hamilton, of the Riley, makes affidavit to the fact that members of the jury slept while deliberating on the case, and Hill declares in an affidavit that he was shackled in the presence of the jury. A question has been raised whether the affidavits were filed within the time allowed by law.

That St. Joe Train Robbery.

Officers claim to be on the track of the robbers who looted the Hannibal & St. Joseph train four miles east of St. Joe on Wednesday night, but up to date no arrests have been made. Supt. Moseley of the Adams Express company cleared up his books Thursday, and admitted that the robbers secured \$1,000 from the messenger's safe. A sealed pouch containing \$5,000, consigned to the Commercial National bank of Chicago, was kicked under the stove by Messenger Wetzel, and was overlooked by the robbers.

Mr. Arch L. Coleman, who recently purchased the Carruth jewelry stock, is a young business man in whom the public can impose every trust. Mr. Coleman is a thorough jeweler and an excellent young man and THE JOURNAL trusts that he may win the success he so well deserves.

THE SAME OLD TALE

Hearing On the County Funds Muddle Adduces No New Facts.

JUST ONE EXCEPTION, HOWEVER

County Treasurer Eickhoff Is Shown to Have Exacted a Peculiar Agreement, By Which He Feathered His Own Nest.

The county funds injunction muddle, arising from the letting of the county cash by Treasurer Eickhoff, has been grinding away since Monday before Judge Chapman in district court. Judging from the testimony introduced at the hearing, the matter stands much as stated in these columns before, inasmuch as County Treasurer Eickhoff and Mr. Meeker, cashier of the plaintiff bank—the First National, of Greenwood—tell two different stories. One interesting fact was brought to light, however, which may prove of interest. While Mr. Meeker was on the stand he stated that at the time of the letting of the funds to his bank two years ago, an agreement was exacted from him by Mr. Eickhoff by which the latter was to have the use of several thousand of the county's dollars at the same interest rate which the Greenwood bank was to pay the county—4 1/2 per cent. Mr. Meeker stated that at the present time the Greenwood bank had notes for over \$4,000 which the county treasurer had borrowed by virtue of that agreement. The story had no particular bearing on the case at bar, but it served to show that the county treasurer was not averse to taking advantage of his official position to inure to private gain.

The opposing sides were well represented by counsel. County Attorney Travis appearing for the county, Allen Beeson for Mr. Eickhoff and John Davies for the Bank of Commerce, while Byron Clark and A. N. Sullivan looked after the interests of the Greenwood bank.

The Wayward Miss Returns.

Miss Irene Williams, the sixteen-year-old step-daughter of A. J. White, returned to her home at an early hour Monday morning. For some time past Irene has been holding high carnival of various kinds with several misguided young men for companions, and for several weeks was a constant attendant or inmate of a wine room connected with one of the saloons in this city. Some two weeks ago she left her parents' bed and board, and in company with a female companion named Effie Mason, proceeded to make a tour of the neighboring towns. From here the pair went over to Pacific Junction, where they stopped several days, and then returned. They afterwards went to Omaha, and while there stopped at the City hotel, Irene assuming the name of "Miss Kittie Nelson." Her step-father visited Omaha in search of the wayward girl and invoked the aid of the police authorities, giving them a description of her and requesting her arrest, but the police failed to locate her. She and Effie returned to this city on the 8:05 train Sunday evening, and getting into a hack at the depot, were taken out to the old base ball park, where they dismissed the hack and sent word down town to a couple of young men to meet them there. A warrant had been issued for Irene's arrest on a charge of vagrancy, and the police were soon on her track, which may have been the reason for her returning home. It is to be hoped that when the grand jury convenes next month several affairs of this kind will be reviewed and the male participants required to answer for their share of the disgraceful and outrageous proceedings.

Meisinger-Thierolf.

At the residence of John H. Meisinger in Eight Mile Grove precinct, on Thursday afternoon at two o'clock occurred the marriage of Mr. Adam Meisinger to Miss Katie Thierolf. The groom is a son of John H. Meisinger, and the bride a daughter of John Thierolf, both families being old residents of the county and well-known and respected. The ceremony was performed by Rev. Spriegel, of the German Lutheran church of Eight Mile Grove, in the presence of a large number of friends of the contracting parties. After the ceremony a sumptuous repast was partaken of by the entire party. Mr. and Mrs. Meisinger will reside on a farm near Manley.

D. O. Dwyer, lawyer, Plattsmouth.

AROUND THE COURT ROOMS.

DISTRICT COURT.

The appealed garnishee damage case of J. W. Thomas vs. C. E. Westcott was dismissed by Judge Chapman in district court last Thursday.

The Plattsmouth Loan and Building association vs. Mary A. Hull and T. C. Shepherd, an action in foreclosure, was filed in district court last week.

Judge Chapman rendered an opinion Thursday in the Shryock estate muddle in which he reversed the enforced removal of Mrs. Celia Shryock as executrix for the estate. The court also ordered the executors to pay over out of the estate the sum of \$2,805, which the court held had been mingled with the estate funds when in reality it belonged solely to Mrs. Shryock and her child as being realized from an insurance policy made payable to them. The case will be appealed to the supreme court.

COUNTY COURT.

Petition for the probate of the will of Frederick W. Cross, deceased, late of Weeping Water precinct, was filed in county court Friday.

County Judge Ramsey handed down an opinion Monday in the "pop corn" squabble of Jacob Steiner vs. Tefft & Mahoney in the plaintiff's favor in the sum of \$499.81.

A marriage license has been issued by Judge Ramsey to Mr. Edward Bartt and Miss Mamie M. Baker. The parties reside in the neighborhood of Three Groves, south of town.

Mr. Nathaniel M. Evans and Miss Della Tuck, residents of Glenwood, Iowa, were united in marriage at the court house Thursday afternoon, County Judge Ramsey officiating.

Application for the appointment of Mrs. May Corbet as administratrix, de bono non, for the estate of the late Frank H. Corbet, and also for the appointment of R. J. Corbet as administrator for the John Corbet estate, were filed in Judge Ramsey's court yesterday.

In the suit for damages brought by Mrs. Geo. W. Mayfield, of Louisville, against Henry Bolln, Judge Ramsey has decided in favor of the plaintiff, and fixed her damages at \$500. The defendant is the owner of the Louisville paving brick factory and Mrs. Mayfield claimed damages to her residence property caused by smoke, etc., from defendant's brick kilns.

License to wed was issued in Judge Ramsey's court Monday to Mr. Geo. J. Spohn and Miss Mary Sturm. The groom is a former Cass county boy, but now resides at Superior, while the bride is the daughter of Andrew Sturm, a well-known farmer living near Nehawka. The ceremony occurred Monday afternoon at 5 o'clock at the bride's home.

JUSTICE ARCHER'S COURT.

The trial of Wm. Clarence on a charge of assaulting his neighbor, Oliver Rakes, on Dec. 10, down in Rock Bluffs precinct, was had in Justice Archer's court Friday forenoon and attracted a large audience from the people of that neighborhood. A. J. Graves prosecuted and Byron Clark conducted the defense, and after the evidence and arguments were submitted, the court proceeded to tax a fine of \$10 against the accused, together with a cost bill of \$46. Clarence will pay.

The hoodlum wagon was given a quick run last Tuesday out in the vicinity of the southern end of the shop yard and Oscar Thompson and Chas. Gilke were put aboard and brought before Police Judge Archer. The pair were guilty of indulging in a free exhibition in which fists and brickbats were promiscuously flourished. Gilke had no coin and, upon acknowledging his guilt, was sentenced to eight days with the Pearl street jailer. Thompson concluded to stand trial, and the proceedings were held yesterday, the result of which was that he was compelled to produce some \$12 to secure his release.

COURT ROOM NOTES.

J. H. Green of Elmwood was in the city Monday attending to some matters in County Judge Ramsey's court.

District Judge Chapman was in Elmwood Saturday night and attended a public installation of G. A. R. officers at the new Hobb's opera house.

The Otoe county jail is full of prisoners awaiting trial on charges ranging from petty and grand larceny to attempting murder, and as a special grand jury has been called for this term of district court which commences Feb. 15 the docket promises to be a full one.

Bryan's Latest Effort.

Congressman Bryan delivered another of his telling tariff speeches in the house on Saturday evening. That the speech was an eloquent and masterly one goes without saying, but the following from the pen of W. E. Annin, the Lincoln Journal's correspondent at Washington and the one man who has ever been the first to criticize the brilliant young congressman from this district, will certainly prove that the address certainly contained more than ordinary merit:

"In spite of the semi-official announcement in the Washington Post that unless he changed his mind Representative Bryan would not be heard in an extended oratorical effort on the tariff bill proper, that gentleman occupied two hours of the time of the house last night in a set speech favoring the Wilson bill. The manuscript was given out to the press associations in advance in order to secure a good newspaper story. It was feared that there might not be an audience, so Mr. Springer, in the middle of the afternoon session, arose to a parliamentary inquiry. He asked whether Mr. Bryan was to address the house that evening, and upon being told that he was, sat down satisfied. The country had been informed that the representative from Nebraska was to speak and Mr. Bryan's suggestion to Mr. Springer had been carried out. When the house met the floor, as is usual at evening sessions, was practically deserted and the galleries, as is equally usual, were jammed. Mr. Springer asked permission for those who were vainly struggling to get a seat in the gallery to be allowed entrance to the floor, and it was granted.

"Mr. Bryan therefore had a great audience, thanks to his efficient advance agent, and he made a most telling and effective speech, the gist of which went out in advance through the press agencies. He was in excellent voice and rose to the crowded galleries. He was fluent and graceful. He turned well his committed periods. His gestures were well timed. His climaxes came in at the right ends of paragraphs. He knew where applause ought to break out and he waited until it was finished.

"When read the speech will not compare with several others made inside of the house, but as delivered it was as effective as any except that of Bourke Cockran. It was punctuated throughout with the loud applause of government clerks and their families. Its peroration evoked loud cheers. During its progress Mr. Bryan indulged in debate with several members and did it with very great credit.

"Of the speech itself it may be said with fairness that it has sustained Mr. Bryan's well-earned reputation as a stump speaker. It was rhetorical, oratorical, attractive and worthy of applause. It did not reach the level of his first tariff speech, because it was largely a repetition of worked over ideas. But the manner was perfect. As a congressional speech it was a success and a great success. Mr. Bryan has withheld it for revision and when it appears will frank it to admiring friends."

Mosher's Snap Continues.

The Bee's Sioux Falls correspondent, while going through the South Dakota penitentiary, which is located there, had a rather small man, who appeared to have a very nervous temperament, pointed out to him as Charles W. Mosher, the Nebraska bank wrecker. He occupies cell No. 81, and is considered a model prisoner. As yet Mosher has not been given any occupation, but spends his time either resting on his cot or reading. On Sunday he goes into the chapel with the other convicts and assists in rendering the gospel hymns. A smile is almost constantly upon his countenance and he evidently takes his forced confinement as a pleasant joke. The guide thought that his prisoner would not be given work in the quarries, but would be given work either in the laundry, the kitchen or perhaps the dining room.

Saturday Night's Blaze.

Phil Sauter's harness shop in the Roberts building was the scene of a fire Saturday evening, shortly previous to midnight. The flames were discovered before much damage had been done, and the turning on of water by the White hose company soon extinguished the fire. The damage to the building is slight, but on the stock it will reach several hundred dollars, fully covered by an \$800 policy held with the "Delaware" of Philadelphia. Mr. Sauter ascribes the blaze to spontaneous combustion.

Dr. Marshall, DENTIST Fitzgerald block.

CONTRACT ENDURES.

Final Decision in the Muddle Over the County Cash.

FULL FINDING OF THE JUDGE.

Injunction Denied and the Contract With the Louisville Bank Is Made Valid—An Examination as to the City Water Pressure.

Judge Chapman has decided that he cannot interfere in the county funds muddle so far as to grant an injunction restraining County Treasurer Eickhoff from drawing on the First National bank of Greenwood for the funds which it holds as depository for the county's cash. The judge also holds that the Greenwood bank had a fair opportunity to bid, and, in fact, did bid; that in reality the second bid filed by the Greenwood bank offering 6 per cent for a part of the funds, was not as good as the bid given by the Louisville bank of 4.55 per cent on all the funds; and last of all that the contract entered into between the county treasurer and the Bank of Commerce of Louisville, whereby the latter was made the depository for the funds, must stand. The status of the matter is such that no appeal can be taken to the supreme court. The document on file is as follows:

First National Bank of Greenwood vs. County of Cass, L. C. Eickhoff, county treasurer, and Bank of Commerce of Louisville.

The temporary restraining order in this case is set aside and a motion for an injunction is denied. The evidence shows that the plaintiff bank had due notice of the letting of the county funds; that its cashier, Meeker, had frequent conversations with the treasurer in regard to such letting; that he was present on the ground on the 8th day of January and submitted a bid for the funds in question; hence he cannot be heard to complain. The subsequent bid submitted by him after the funds were let is conditioned only for county funds and is not as good a bid in the interests of the county as the one submitted by the Bank of Commerce. This being the case there is no equity in the plaintiff's bill, and the court would not be warranted in interfering by injunction.

(Signed) SAMUEL M. CHAPMAN, District Judge.

Examined the Hydrants.

Mayor Butler, Chief Kildow of the fire department and a few of the city council took the trouble last Tuesday to procure a pressure gauge and sauntered around to several of the fire hydrants at various places about the city. Their object was to test the pressure and to see if the result met the requirements of the water company's contract with the city. The water company admit that they are hard pressed for sufficient water to keep the stand pipe full, by reason of the present lowness of the Platte, but the city officials argue that the company gives no credit on the water bills because of the decreased pressure, and that it is the duty of the water company to make such arrangements that the stand pipe can be kept full. The result of last Tuesday's pressure examination will be made known in a report at the next meeting of council.

Mortuary Matters.

The aged father of J. M. Dovey died at the latter's residence in South Park on Sunday. Decensed was eighty-six years of age. The funeral was held Tuesday afternoon, and the remains were interred at Oak Hill.

The wife of August Kelm, an employe at the B. & M. shops, died Monday morning during child-birth, aged twenty-eight years. The funeral services were held at the family residence on Wintersteen hill Wednesday afternoon at two o'clock, Rev. Witte officiating.

Insane Patients Discharged.

The board of public lands and buildings has ordered the discharge of thirty-five harmless and incurable patients from the Lincoln asylum, but they will not all be discharged at once, merely as occasion demands. These patients must be supported after their discharge by the counties from whence they came, namely: Adams, Buffalo, Butler, Cass, Douglas, Fillmore, Gage, Hamilton, Johnson, Otoe, Polk, Saline, Saunders and York counties. Douglas county will be required to take back eleven patients as a result of this order, and Cass and the other counties one each.