

HURT WHILE COASTING.

Don Atwood Struck by a Large Traverse.

A FORMER CITIZEN KILLED.

C. H. Petersen Has a Burglar Trap That is Sure-Cedar Creek A. O. U. W. Hold a Dance and Banquet.

Coasting Accident.

The first serious accident since high school hill has been used by coasting parties this winter, occurred Saturday evening, and Don Atwood was the victim.

On the evening there was an unusual large crowd on the hill, and the accident happened near Fifth and Main streets.

Don Atwood was walking along the street and at the same time one of the large traversers was coming down a horse and sleigh was also a short distance behind young Atwood, and he stepped aside, not seeing the traverse coming to let the sleigh go by, thinking the horse and cutter would strike him; he stepped back just in time for the traverse to hit him.

He was thrown against several parties on the traverse and finally fell on the pavement, striking on his head.

He was taken home and there remained in a comatose condition until Sunday morning when he began to regain consciousness. No bones were broken, but he was severely shaken up.

L. C. Fuller Killed.

The citizens of Plattsmouth were painfully surprised when it was announced Saturday evening that L. C. Fuller was killed. Mr. Fuller was well known in this city, having been in business here for some time, and in connection with Mr. Wildman were the proprietors of the drug store now run by Messrs. Brown & Barrett.

O. A. Brown received word Saturday evening that Mr. Fuller had fallen from the back part of the engine, on which he was employed as fireman, and that he was dragged about fifty car lengths. The letter also stated that he was not badly mutilated and that further particulars would be sent later.

The accident occurred at Hampton, Ia.

It Was Burglar Proof.

For some time past C. H. Petersen has been missing corn from his crib. He keeps his corn in the barn and he concluded he would set a trap for the fellow. Last night he secured a revolver, loaded it fastened it securely in the bin. He then fastened a string to the trigger after having pulled the trigger back—and fastened the other end to the door of the barn, so when the door was opened the gun would shoot.

Mr. Petersen then waited for a while and nobody came, and he went to bed. He had not been in bed very long before he was awakened by the report of the gun.

Mr. Petersen jumped from the bed, ran to the window and looked out just in time to see the fellow making tracks as fast as he could, and he says he was able to distinguish who the culprit was.

The report of the gun frightened the horses and they began to kick and make a big noise. They succeeded in kicking the harness down under their feet, and Mr. Petersen thinks that the fellow who entered the barn was kicked by the horses, as he left a large sized plug of tobacco and the glove to his right hand in his hurry to get away.

Mr. Petersen knows the man and says if he will call around he can have his glove and plug of tobacco.

A Royal Time

The members of the A. O. U. W. lodge No. 172 of Cedar Creek gave a dance and oyster supper at Cedar Creek Saturday night. There were over 100 couples present who participated in the dance. The members of the order have recently fitted up an elegant lodge room, and form the proceeds of the dance they can greatly reimburse their exchequer. F. J. Morgan and Fred Murphy attended from this city, and report a first class time.

"None cheaper," none better is the cry of our neighbors in offering to you their holiday truck. Examine all, but before purchasing, come and look over, and price our holiday goods. We will astonish you with both price and quality of our Christmas gifts.

BENNETT & TUTT.

Please remember that we are with the close buyers this year. We have a fine assortment of toilet sets, manicure sets, albums etc., can not be under sold.

BROWN & BARRETT.

Bennett & Tutt will be well supplied with candies, nuts and fruits for the holidays. All of which will be sold cheap.

PERSONAL.

Silas Patterson of South Bend was in the city today.

County Clerk Frank Dickson had business in Omaha today.

A. B. Smith of Denver is attending district court today.

Jacob Tritsch commissioner from the second district was in the city today.

Josiah Tighe of Mt. Pleasant precinct was a county seat visitor today.

Arthur Rigley of Elmwood was transacting business today at the court house.

J. F. Kaufman, cashier of the Avoca bank had business in the county seat today.

George Olive of the Weeping Water Republican spent Sunday in this city visiting with Mr. and Mrs. J. M. Leyda.

Wants More Money.

The judges and clerks of election of Tipton precinct are not satisfied with the pay they received at the recent election. The election board claim that eight hours constitute a day's labor and that they are entitled to one dollar more apiece. They have sent notice to the commissioners that they want what is due them.

PEOPLE AND AFFAIRS.

County Superintendent Noble has received notices from a large number of the county teachers who have signified their intentions of attending the teachers institute at Lincoln. Cass county teachers are going to Lincoln and they intend, if possible, to bring the flag home with them.

At a recent meeting of the Modern Woodmen lodge the following officers were elected for the ensuing year: P. Wertenberger, V. C.; L. G. Larson, W. A.; Edward Dewey, escort; Jos. Lake, E. B.; S. C. Wilde, clerk; W. H. Mallick, watchman; E. S. Barker, sentry.

All members of Gauntlet Lodge No. 47 Knights of Pythias, are requested to meet promptly at 7:30 tonight, as important business is to be transacted.

Frank S. Granger, the well known B. & M. conductor of McCook, stopped a short time in the city yesterday. Mr. Granger is still suffering from burns received in the McCook fire where his wife was fatally burned.—Lincoln Journal.

According to the Lincoln Call John W. Cutright formerly city editor of the Lincoln Journal will accept the city editorship of the Lincoln Evening News after January 1, 1893.

Don Atwood, who was hurt Saturday night while coasting is getting along nicely, and will be able to be out in a short time.

Nebraska city boasts of one of the best quail shot in the state. He has killed one thousand quails this winter.

On last Thursday night a tramp gained an entrance into the alliance store at Union through a back window and stole clothing to the amount of \$25 and upwards. His old clothes which he shed were found near the railroad bridge two miles south of town, also a pair of new overshoes which the store recognizes as their goods.

Today is the twenty-first day of December and it is also the shortest day of year. Henceforth the days will get longer.

Governor, the oldest son of Mr. and Mrs. H. N. Dovey is reported quite sick.

Scrap albums are going at cost at Brown & Barretts.

Joseph Fetzer excels all other as he has an excellent line of slippers for both ladies and gentlemen; and they are just the thing for presents.

If you need more light call on Bennett & Tutt and examine their large assortment of stand, and hanging lamps. None cheaper, or none better can be found in the city.

Celluloid novelty, and celluloid all colors in sheets at Brown & Barrett.

The finest line of dance program's ever exhibited in this city at this office. It will pay you to call and see them.

Christmas and New Year's holiday excursions rats, the B. & M. will sell round trip tickets not over 200 miles at the rate of one fare and one-third, will sell December, 24, 25, 26, 31, January, 1st, 2nd, and limit to return January 3rd. J. FRANCIS, General Passenger Agent.

An elegant stock of gold and silver watches for ladies and gentlemen, jewelry, silverware and clocks suitable for holiday presents at Snyders jewelry and drug store.

A splendid line of albums, toilet cases, and other articles suitable for gifts at Snyder's jewelry and drug store.

THE GARNISHEE CASES.

One Decided in Favor of the Defendants.

THE OTHERS CONTINUED.

The Different Churches Making Arrangements to Observe Christmas—The Bankers in Session at Lincoln.

The Garnishee Cases.

The Council Bluffs correspondent of the Bee had the following to say Sunday concerning the garnishee cases: "The case of Fraser against Foster, of the Plattsmouth garnishee cases, was finished yesterday in Justice Cone's court, the jury returned a verdict for the defendant. The hearing was rather one-sided, as all the plaintiff's witnesses, or a large part of them, were kept in Plattsmouth by the injunction which was issued by a court of that place several months ago, restraining them from coming to Iowa soil to render any testimony in the case. One of the witnesses for the plaintiff was Justice Swearigen, who testified that Foster had admitted to him that he owed the bill which the plaintiff was suing to collect, but in this testimony he was squarely contradicted by Foster. When the plaintiffs found what the result of the first trial was, they secured a continuance of thirty days in the eighteen cases, in order that they might have time to get the injunction dissolved. The case already decided will be appealed to the district court."

By section 46 of the above chapter it is made the duty of the county clerk upon the reception of the election returns from each precinct, ward, etc., and in six days after the closing of the polls, together with two disinterested electors, chosen by himself, to open the poll books and make abstracts of the votes cast * * * for members of the legislature by districts comprising more than one county on another sheet, and by section 48 the clerk is requested to make out a certificate of election to the person having the highest number of votes. Held, that it was the duty of the clerk to issue a certificate to the person having the highest number of votes, and that he had no authority to classify the votes cast for a candidate as people's independent, democratic or otherwise.

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to the supreme court. All the judges from the first agreed that the writ should not issue; differing only on the reasons therefor.

The syllabus of the opinion by Chief Justice Maxwell is as follows:

1. Under the provisions of section 20, chapter 20, compiled statutes, it is the duty of judges and clerks of election to return a true list of the persons voting at that election and certify the same. It is also the duty of the judges and clerks to certify the aggregate number of votes cast for each person voted for; but it is no part of their duty to certify that certain persons received a specified number of votes as a democrat and a certain number as people's independent or otherwise, and such a certificate has no force or effect.

By section 46 of the above chapter it is made the duty of the county clerk upon the reception of the election returns from each precinct, ward, etc., and in six days after the closing of the polls, together with two disinterested electors, chosen by himself, to open the poll books and make abstracts of the votes cast * * * for members of the legislature by districts comprising more than one county on another sheet, and by section 48 the clerk is requested to make out a certificate of election to the person having the highest number of votes. Held, that it was the duty of the clerk to issue a certificate to the person having the highest number of votes, and that he had no authority to classify the votes cast for a candidate as people's independent, democratic or otherwise.

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