

THE NEWS-HERALD.

TWICE A WEEK

SEE PLATTSMOUTH SUCCEED

NEWS, Established Nov. 5, 1891
HERALD, Established April 16, 1894
Consolidated Jan. 1, 1896

PLATTSMOUTH, NEBRASKA, MONDAY, FEBRUARY 28, 1910

VOL. XLVI NO. 90

NELIGH CASE CONTINUED

**Motion to Take Case From
the Jury Overruled by
the Court.**

**TRIAL CONTINUED
AGAIN THIS MORNING.**

**Defendant Attempts to Show that
He is a Resident of Cummings
County.**

The state rested its case yesterday afternoon about 4:30 having introduced evidence brought out by Mrs. Neligh, the complaining witness, her father D. C. York, Mrs. J. C. York and Mrs. Gravit, sister of the complaining witness and her husband Mr. Gravit, showing that in September 1908 Mrs. Neligh visited her parents bringing with her some dishes, her winter clothing and some bedding. This was to show the intention of defendant to change his residence from Cummings County to Platts-mouth. It was shown that defendant stated to them at different times that he would go back to Wisner, sell his crop of corn probably in the field and load his potatoes and house-

hold effects into a car and ship all to Platts-mouth and make this his home.

As soon as the state had rested its case, defendant's counsel filed a motion to have the court direct a verdict in favor of defendant. Judge Travis directed the jury to be taken to the equity court room and remain, pending the argument on the motion. In support of his motion Attorney Gering cited several authorities and argued that the law required every criminal prosecution to be brought in the county where the offense was committed and that the evidence introduced failed to show that defendant had ever in fact, since his marriage, resided in Cass county, for that reason the suit could not be maintained, and stated to the court that such being the case it was useless to take the time of the court and jury to try defendant's side of the case. Another feature to be considered was the unpleasant details of defendant's case which when brought out would reflect no credit on the complainant and that the complaining witness had her adequate remedy at law, if the defendant owed her maintenance she could resort to her remedy and compel him to pay the same. The county attorney for the state also cited authorities and argued that the acts of the defendant together with his statements constituted a change of residence from Cummings to Cass County; and that when Neligh returned to Cummings County in September 1908 he deserted his wife and was guilty under the law, and that the defendant should be tried here. Judge Travis took the matter under advisement until 9 o'clock Thursday morning.

On the assembling of court this Thursday morning the court overruled defendant's motion and the trial proceeded. The defendant put eight witnesses on the stand to prove the treatment received by him at the hands of the complaining witness and also to prove his residence in Cummings county. The case occupied the attention of the court for a greater part of the day.

Continued on Page 7

Hearing at Union.

The State Railway Commission have notified Attorney C. L. Graves that they will come here on next Wednesday to hold a hearing upon his complaint filed against the Missouri Pacific. The complaint was filed several weeks ago, setting forth the condition of affairs in and about the depot and asking that the Railway Commission order the company to provide necessary and proper depot facilities. The company, through its attorney J. W. Orr of Atchison, filed answer alleging that "Union is not a growing or progressive town," and that "the building used as a station is ample for all business done at said station." These seem to be the principal points on which the case will be contested.

The case will be heard by the three Railway Commissioners, beginning at 1 o'clock next Wednesday afternoon, and it is probably that a number of witnesses will be called to testify, and no doubt the hearing will attract many who are interested or have a desire to hear the matter threshed out after the form of court procedure. —Union Ledger.

Epworth League Meets.

Last evening the members of the Epworth League held a very entertaining meeting at the home of John Crabill, on North Seventh street. The amusement of the evening was furnished by an electrical projectograph which preformed much as a magic lantern, throwing projections on a screen. The features of individual members of the party and scenes from nature were also projected forth for the critical eye of the observers. There were several present whose sense of the ludicrous is keen who were heard to smile aloud. A much enjoyed evening was passed.

Had Cool Drive.

Charles Warner and son Fred drove in from the farm this morning through the cool morning air, and boarded the early train for Omaha. Charles complained a good deal about the cold, and the slow mode of travel via the horse route the roads being a little rough for his auto. He will take a look at the flying machines today and may bring one down with him this evening. Charley raised a few pigs this last year, and can buy anything he sees, provided he likes it.

METHOD FOR TESTING YOUR SEED CORN BEFORE PLANTING

**D. F. Kiser Gives to the Public a Testing Method Within
the Reach of All.**

**EVERY FARMER CAN MAKE
HIS OWN TESTING MACHINE.**

**An Article of Seed Corn Testing Which Should be Read
by Everybody.**

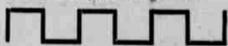
How about your Seed Corn.

I have questioned many in Cass county and also in Lincoln and Omaha about their seed corn, and with no exception, all who have tested to any extent have expressed themselves as greatly surprised at the poor quality of the corn which they had intended for seed.

I am an old farmer and think I am a fair judge of seed corn, and after making several fair tests I am positive that unless Cass County farmers get fully awake to the seed corn situation this county will not raise half a crop this year, for by a fair test I have found that nearly 90 percent of the corn failed to germinate.

And now I will try and help you out of this predicament by showing you how to make a tester that works nicely and with no possibility of getting mixed on the ears which are being tested. There are several good ways for testing but I have found the following the best of any which I have tried:

Get a tinner to make a square tin pan about the size to cover your register if you have one. The sides of the pan should be three-fourths of an inch in height. Next get him to cut strips of tin long enough to reach from inside to opposite inside of pan of the same width. Then have him cut some more about twice as long as the first ones of the same height and bend them in squares like this:



so as to extend from one side of the pan to the other. If the tinner can't make it yourself. Get three 7-8 inch squares blocks each one four inches long. Place the first one crosswise on the end of a long strip of tin, press on the block while you bend the tin up. Then hold to the block while you press the tin tight against it with another block, then hold to both blocks while you bend the tin over and down the next block, but form the next square with the third block. Continue making these

squares until they reach across the pan, then place it in the pan and next to it a straight piece of tin. Then continue till the pan is full of squares, each of which will hold six grains of corn.

Next get a board a foot wide. Drive three inch headless nails 2 and 3-8 inches apart in rows each way having as many nails lengthwise in the board as there are squares length wise in the pan. Drive the nails through the board so that they project about evenly on either side of the board. Next number the rows on board and pan from bottom to top by putting No 1 outside the nearest left hand corner cup and also on the board by the lower left hand corner nail, and then set the board up edgewise. Next shell six grains of corn off of an ear and place it in the nearest left square in pan and place the work in the two rows until it reaches the end of the board. Then continue till the first side of the board is full and then fill the other side in same way, but be sure and number the cups to correspond with the ears on the last side of the board.

When each cup has the required corn leave the ears for pointers where they will not be disturbed. Then put the pan of shelled corn on the register and fill it with warm water, keeping the corn in the water 24 hours, letting just enough heat to it to keep to warm. Then let the main part of the water off and fill each cup by sprinkling sand in them and cover with a damp cloth. Continue to keep the corn damp and warm 72 hours more and you are ready to pick out your seed corn.

The Omaha Commercial club has a good way for testing seed corn, but their manner of finding the corresponding ears can be improved by using nails as above stated.

Yours truly,
D. F. KISER, Mynard, Neb.

FUNERAL SERVICES ST. JOHN'S CHURCH.

**George Sitzman's Remains Laid
to Rest From Catholic Church**

The last rites were observed over the remains of George Sitzman, one of the pioneers of this county, at St. John's Catholic church in this city this morning when the funeral cortage arrived from Cedar Creek.

A large number of haeks met the remains at the arrival of No 4, and all that was mortal of a much respected citizen was tenderly born to the here by old time friends of the deceased. The pallbearers were: Frank and Cyril Janda, Nadrew Robb, Ed Donat, Louis Liner and Max Price. At the church Father Shine had charge of the services and the solemn ceremonies of the Catholic church were observed. Numerous were the floral tributes sent by sympathizing neighbors and friends showing the high esteem in which deceased was held by those who knew him best.

There survives to mourn the loss of this kindly man, his widow Mrs. Eva Sitzman and seven sons and three daughters, as follows: Frank, Charles August, Isadore, of Cedar Creek, George of St. Joseph, Joseph of Platts-mouth, Henry of Wahoo, Mrs. Louis-Koezer and Mrs. Mike Price of Platts-mouth, and Mrs. Chas Haden of Cedar Creek.

COST PLANTING DEAD CORN TREMENDUOUS

**One Good Ear Containing 1,000
Kernels, Should Make 12 Bushels**

Take the average ear of corn—it contains from 900 to 1,000 kernels. Each kernel planted should produce a stalk, each stalk an ear. A dead ear planted should produce from 9000 to 1,000 stalks and each stalk an ear. A dear ear planted will produce nothing—that means a loss of 1,000 ears or 12 1-2 bushels.

Twelve good ears of corn of average size will plant an acre. Think how the yield is cut down when one or more of these twelve ears are not capable of producing corn.

Tests in Nebraska show that not only one ear in twelve but six ears in twelve are unfit to plant. Farmers who have been producing from forty to seventy bushels per acre during the good seasons of the last few years, will positively produce from fifteen to thirty bushels if untested seed corn is planted this year.

Mrs. Matilda J. Price Dies.

Yesterday morning at her residence on South Third street occurred the death of Mrs. Matilda J. Price, who had resided in this county about twenty four years. Matilda J. McCord was born in Boone county Indiana August 5th 1845, and when quite a small girl removed with her parents

to Mills county Iowa, where she was married to James StClair Price, June 14th 1866. They resided in Iowa not far from the ferry landing for a number of years, and then removed to the big island south of the Burlington bridge, where they lived until Mr. Price died some eleven years ago. At that time the subject of this sketch moved to Platts-mouth where she has since resided. To Mr. and Mrs. Price were born seven children, one daughter died about seven years ago, and one son the age of two years. The surviving children are: Mrs. Angeline Conant, Haxton, Col., Mrs. Mary P. Piper, Platts-mouth, Vern W. Price, Haxton, Col., Glown Price and Clarence F. Price both of this city.

Mrs. Price early united with the Christian church and was a consistent member during her life. The funeral services will be conducted by Rev. Luther Moore, at her late residence, tomorrow, Friday at 1 o'clock P.M. Interment will be made in the Horning cemetery. The pallbearers will be Alf Edgerton, Tom Joy, A. McCreary, Lee Bates, Walter Goehneur and Ed Snodgrass.

Becomes Citizen.

John Stokr, formerly a subject of Francis Joseph Emperor of Austria, yesterday took the oath necessary, and had issued to him his final papers admitting him to citizenship in the United States. Mr. Stokr took the oath before Miss Jessie Robertson, Deputy clerk of the district court. He had made two efforts prior to yesterday, the first having been witnessed by a naturalized citizen who had taken his papers a day or two too soon, was held by the department at Washington to be invalid.

The next trial was under the new law which requires a naturalized citizen to be able to speak the English language, on this occasion Mr. Stokr was required to wait until a ruling could be had from the State department. When it came it permitted those who had taken out their first papers under the old law, to become naturalized notwithstanding the applicant's inability to speak English. Under this ruling Mr. Stokr was eligible to citizenship.

Card of Thanks.

We wish to express our deepest gratitude to all our neighbors and friends for their kindly aid and sympathy during the sickness and burial of our loved one.
Mrs. Eva Sitzman and Children.

REMEMBER CROSSLAND

**A Wesleyan Student Whose
Name Should be an In-
spiration for Others.**

**WON A GOOD NAME
IF NOT A MEDAL**

**Awarded First Honors by Judges
but Discovers Error and Gives
the Prize to Another.**

It is seldom that a young man is found with the honesty of Mr. Crossland, a student of the Nebraska Wesleyan university of University Place, the Methodist institution which is turning out so many good men. In a recent contest for the oratorical honors of the state, Mr. Crossland was awarded the first place by the judges. Later while by accident he was looking over the markings, he discovered that a mistake had been made which were it rectified would give it to the representative of the Catholic institution at Creighton college in Omaha.

This error would in all probability never have been discovered, but Mr. Crossland promptly wired Francis Mathews, the young man who represented the Creighton university that the error had been made and that the honors belonged to Creighton and not to Wesleyan.

It is decidedly refreshing in this age when men are crowding each other for a chance to get at the top, to see this instance of fairness from one contestant of a college to a rival of another institution of the same kind. The name of Crossland should not be soon forgotten, but his example kept before the rising generation. This is more a victory for the Wesleyan university than the winning of a hundred state oratorical contests.

Overcoats

\$5

\$10

Just a few left. Better take one of these coats at these prices.

Platts-mouth Made
Mittens

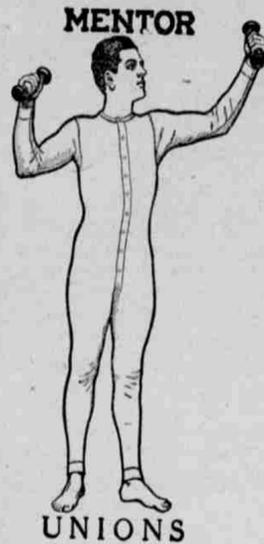
Heavy Ticking, Knit
Wrist

15 Cents

Come and see them

C. E.
Wescott's Sons
THE HOME OF SATISFACTION

Unconscious Underwear



Mentor Suits give a new kind of underwear comfort—no drawers to slip down or to show above trousers.

No shirt to crawl up and no double thickness above the waist. Very elastic because knit on spring needle machines.

Fit like a second skin—in fact, so in sympathy with every line and movement of the body you don't know they are on.

That's why we call them

Unconscious Underwear.

Fabrics to suit all tastes. Come and see.

The Home of Hart Schaffner & Marx clothes
Manhattan Shirts
Stetson Hats
Falter & Thierolf
Value Giving Clothiers.