

The Plattsmouth Journal.

Every Democrat in Cass county should read the Journal. The only advocate of Democracy in the county.

The Journal will ever be found laboring for the best interests of Plattsmouth and Cass county in general.

R. A. AND T. B. BATES, PUBLISHERS.

"DEMOCRATIC AT ALL TIMES AND UNDER ALL CIRCUMSTANCES."

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PLATTSMOUTH, NEBRASKA, THURSDAY, OCTOBER 1, 1903.

Number 41

THE "DODGER" DODGES AGAIN!

"Sissy" Farley Refuses Now to Have the Matter Tried Before a Cass County Jury.

FARLEY REPUDIATES HIMSELF!

Desires to Place the Responsibility Upon the Shoulders of Judge Paul Jessen.

Displays Cowardice at Every Turn.

"Sissy" Farley is likened unto the veritable flea, "when you put your hand on him he isn't there!" Every proposition that he has submitted in the way of settling the case between himself and Sheriff McBride has been accepted by Mr. McBride's attorney, and he has "crawled." He now comes to the front with the most unfair proposition of all yet made—placing the responsibility of the result upon the shoulders of Judge Jessen, and taking it out of the hands of a jury of his own countrymen. We don't think this a fair proposition, neither will the voters of Cass county think so. It has been the rule of the editor of the News from the beginning to make a proposition and as soon as accepted by Sheriff McBride's attorney, he comes forward with another. Here is the latest:

SEPTEMBER 25TH, 1903.

To JOHN D. McBRIDE:

I herewith submit stipulations in the above case under advise of my counsel.

If a special term of court is called with a jury the several criminals which are now out on bonds, or in jail pending trial, will have a right to their trial.

I understand the County Attorney is not ready to try his criminal cases, and to avoid any objection to a special term from that source, I have proposed to try the case to Judge Jessen, or such other Judge as he may call, without jury.

If a special term is called all other litigants will have the same right as we have to have their business transacted. For that reason I am unwilling to pay all the costs of the term of court, but am willing to pay the costs of the term of court pro rata upon the total amount of business done.

Another reason for my suggesting that the case be not tried to a jury is that this action is based upon political matter, and necessarily on account of the wide publicity given to your letters through the several newspapers of the County, nearly every voter will have formed his opinion thereon. By submitting the case to the court you can have the law declared and this is what the voters want.

As to the question of damages, I offer to stipulate that if found against me the court shall enter judgment for nominal damages. This will give you the vindication you desire and affirm your alleged basis for charging fees. Or, the action for damages can pursue its regular course in court at your option. If the court upholds my contention the action is to be dismissed.

We are desirous of informing the voters by a judgment as to what the law is, before election, and a special term for this purpose can be held at any time if the court is willing to call the special term.

I append stipulations, which you or your counsel may sign and return. In your proposed stipulation you provide that if a demurrer to your petition is sustained that you be permitted to file a new petition or amend. To this I do not agree. In your petition now on file you have set forth the articles which you claim have defamed your character. I want the matter disposed of and not delayed by a succession of amended pleadings.

I have in the stipulation provided that the trial shall not be had before October 10th, and not later than October 24th; the first date is fixed so that each of us can properly prepare our evidence, and the last date is fixed so that the judgment may be entered in ample time so that the voters may be fully informed thereof through the public press. Yours Respectfully, GEORGE L. FARLEY.

The Stipulations.

It is hereby stipulated and agreed between the parties, plaintiff and defendant.

1. Defendant will file answer in the above entitled cause within two days after the stipulation is signed by each of the parties to this action, or their counsel.

2. That the plaintiff will demur or reply to said answer within two days after said answer is filed.

3. That the parties hereto join in a petition to the Honorable Paul Jessen, Judge of the District Court, to call an extra session, and that when called, this action shall be submitted to the court, Honorable Paul Jessen, or other Judge acting for him, each of the parties hereby waiving their right to a jury.

4. If upon said trial the court shall find against defendant, then the court shall enter judgment for nominal damages, or at plaintiff's option the trial of the case, so far as damages are concerned, shall be continued until the next regular term of this court, and take its regular course of trial.

5. That there shall be no amendment of the pleadings after having been filed in this action.

6. That the defeated party at such special term, shall pay all of the costs of such special term of court, provided that if other business is transacted during said term of court that the defeated party shall then pay only the pro rata share of the costs of the term to be found and fixed by the said Honorable Paul Jessen.

7. That the trial of this action shall not be had before October 10th, to the end that each party may prepare his

evidence, and trial to be had and judgment entered not later than October 24th, 1903, that the voters may be informed of the result.

8. That the time of calling such special term the Judge Paul Jessen may fix the amount of bond to be given by each party to the County of Cass, conditioned to pay the costs to be adjudged against the defeated party under the provisions hereof; said bonds to be executed and filed with the Clerk of the Court in this action, with his approval thereon, within twelve hours after such special term is called.

Dated this 25th day of September, A. D., 1903.

Plaintiff,

GEORGE L. FARLEY, Defendant.

PLATTSMOUTH, Neb., Sept. 26, 1903.

MR. GEORGE L. FARLEY,

EDITOR EVENING NEWS:

SIR:—

Your letter of this date was received a few moments ago and I reply at once.

First, your proposition was made publicly through the News, for political effect, that I agreed to the calling of a special term of court by Judge Jessen, that the action commenced by myself against you might be tried before the November election. I at once accepted that proposition and added to it the further proposition, in case you would agree to it, that each party to the suit bind himself and agree in the event the controversy was decided against him to pay all costs, including the calling and holding of the special term of court, this to save the taxpayers any part of the burden of such trial. Supposing you would stand by your own proposition, I filed a bond with the Clerk of the District Court binding myself to pay all costs in the event the suit was decided against me and I signed and delivered to you a stipulation in accordance with your published proposition. If you were acting in good faith in this matter that should settle it. In your communication of this date you say if a special term of court is called by Judge Jessen, the several criminals which are now out on bond, or in jail, pending trial, will have a right to their trial. You ought to know better than this. In the first place if Judge Jessen agrees to come to this county to especially try this case, he is not bound to hear anything else. The prisoners awaiting trial are all bound over for the November term of court and such matter would not interfere with this trial. I think you understand this, if you do not you should have thought of this obstacle at the time you made your bluff for a special term through the columns of your newspaper.

Second: Your excuse that other litigants will have the same rights as we have to have their business transacted is childish, especially when urged by the party who has publicly proposed that the special term of court be called to try this case, and your refusal to bind yourself to pay costs for that, as well as other reasons cannot be looked upon as prompted by honest motives.

Third: Your refusal to submit this case to a jury because it is a political matter, shows clearly that you were not sincere in proposing a special term of court to try the case. Also, permit me to remark that this action is not based upon political matter so far as I am concerned and will not be tried by my counsel and submitted as a political controversy.

Fourth: I did not commence this action for the purpose of obtaining nominal damages against you and is not in court for the purpose of relieving you from any damages that you justly ought to pay for uncalled and malicious libel.

Fifth: When you say you are desirous of informing the voters before election and refuse to back up your own proposition to call a special term of court, you exhibit your entire lack of confidence in the truth of the charges you have published against me. This disposes of your refusal to stand by the proposition published in your newspaper. I may add that in all human probability should Judge Jessen call a special term of court, which you now refuse to agree to, he would fix the time to suit himself. You have had the acceptance of your proposition in your hands now for some twelve days, and have, as I expected, backed down from your proposition. You will observe that I have not kept you in suspense in regard to this second proposition of yours. Truly Yours,

JOHN D. McBRIDE.

Why did not the News editor publish the foregoing reply of Sheriff McBride and give his readers an opportunity to peruse both sides of his "latest proposition?" Is it not very plain to see the reason why? He desires to deceive the voters. Why does he not do like the Journal—give both sides? Has not Mr. McBride been fair throughout the entire discussion of this matter? Has the editor of the News? No, he has not, and no one knows this fact better than himself. The voters of Cass county will readily perceive his selfish motives. His only object, in the first place, was to defeat Mr. McBride that he MIGHT HAVE THE ENTIRE PRINTING PATRONAGE OF THE SHERIFF'S OFFICE! This is why just at PRESENT HE IS SO GREATLY INTERESTED IN THE TAXPAYERS OF CASS COUNTY. If he is honest in this matter he would have stood by his proposition—TO HAVE THE MATTER SETTLED BY A JURY IN HIS OWN COUNTY—a county that is filled up with honest yeomenry. But this, at the eleventh hour, he flatly refuses. As was a great "bluffer" in the start, and was readily "called" on every proposition up to the above. He banked too much on the "attorney in the case," who has a personal grievance against Sheriff McBride, for his information, and so eager has he become to gratify his own selfish desire, that he will stoop to most any unfair means to carry his point—the cash he will fetch from the sheriff's office. The Journal is perfectly willing that the voters of the county understand this matter thoroughly, and will do everything in its power to give the desired information. And we know that Sheriff McBride will do the same.

THE OLD RELIABLE



Absolutely Pure. THERE IS NO SUBSTITUTE

WATER-LOO-LUED.

Local Ball Players Dubbed "All Stars" Can Now Star as "All Dubs."

"Maud Muller on a summer's day raked the meadow sweet with hay" and ever since, sensible people have wondered why Maud was out dubbing around in her bare feet raking up fodder when she ought to have left the job to the men folks and gone in the house and washed up the dinner dishes, but it's all as clear as mud now.

Maud lived near Nebraska City and the haymakers all quit at once and went in town to play a game of ball with the Plattsmouth boys, and as it looked like rain Maud realized that if they saved the crop she had to rake it up herself, so she went out with a garden rake and got her little bare tootsie-wootsies all full of sandbars and started all this "It might have been" business that has worried the human race for fifty years or more.

The story is true for sure, as the haymakers all showed up on the Argo diamond yesterday afternoon and the Plattsmouth boys gave them a drubbing that made them twice as sore as if they had stayed down on the farm and raked hay all day in place of little Maud. It would be a cruel and unusual punishment forbidden by the constitution to go through the game by innings and disclose the real incidents from time to time, though it is only fair to say that while the Plattsmouth boys played good ball for non-professionals, they were by no means invincible and only a preponderance of wooden shoes, wooden legs and wooden heads in the home team ever permitted the Plattsmouth aggregation to win.

The home "line up" was distinctly faulty, for instance, Thygeson, the star baseman of the home team, was banished to right field to herd the cows, and Tom Roddy was expatriated from the diamond to a pasture away out by the water works. Luck also tossed her weight against the home team as Holtz, the expected catcher, did not appear at the game and Stroble, who has had no practice for a long time, was substituted behind the bat and just about the time he began to find Reed's pitching and hold it, he met with an accident that took him out of the game and put another new man in behind the bat. Reed pitched a fine game and struck out about 20 of the Plattsmouth batters.

Every man in the home team made some fine individual plays, but the team work was so erratic and disjointed that there was "nothing doing" in their favor on the score card. Judge Paul Jessen acted as umpire to the general satisfaction of both teams and Milt Thorp kept the fatal score card. Both clubs were named "All Stars" and were selected from the best of the non-professional ball players of the two cities. The home team tied the score in the second and held the tie until the end of the third. This is as near as they ever got to a winning mark, winding up with the totals, Plattsmouth 16, Nebraska City 10.—Nebraska City Tribune.

Just What They All Say.

Cass county is having a hot campaign and the Plattsmouth News is after Sheriff McBride with a sharp stick while McBride comes back at the News with a \$10,000 libel suit. The News has resorted to some mean, dirty underhand methods in its policy toward the sheriff and the suit is likely to be interesting for the publisher. I have seen men with larger souls and more generous impulses than Mr. Farley and such characters generally get what is coming to them sooner or later. The Blizzard has no notion of fighting McBride's battles but it considers a man who will use a newspaper, because he is fortunate enough to possess one, as a club to pound a man unjustly, a coward and a discredit to the profession. Whenever personal malice or the hope of personal reward dictates the policy of a paper in criticizing a public citizen it is time for that paper or the head of it to go out of business.—Nebraska City Tribune.

A Sore Never Matters

After Porter's antiseptic healing oil is applied. Relieves pain instantly and heals at the same time. For man or beast. Price 25 cents.

Narrow Escape From Death.

The following item appeared in the Alvo items of the Elmwood Leader-Echo of last week: Friday evening about 5 o'clock little Dan, the nine-year-old son of Mrs. Susan Devore came near losing his life. He and Walter Tappin, one of his playmates, went over to Harry Appleton's about a quarter of a mile distant, on an errand, and on the way home they thought they would get a ride with Mr. Reikie, who was going to town on a load of shelled corn. Mr. Reikie saw Walter get on the wagon but did not see Dan until he heard him scream. In trying to get his feet caught in the hind wheel and wound him around until he was wedged between the wheel and the standard and brake rod until his head was drawn down to the brake beam, breaking his left leg just above the knee and bruising his head, face and shoulders terribly before the team could be stopped. He was taken home in an unconscious condition and Dr. Muir hastily summoned. He did all that could be done to relieve the little fellow's sufferings but did not set his limb until the next morning. He is getting along now as well as could be expected.

A Sensible View.

A charivari is not a joke at all, it is a disgraceful proceeding that ought not to be tolerated any longer. A charivari is a prima facie insult to the persons who are married as well as to their friends, and to allow such rowdiness to pass without remonstrance is a mistake. The thing would have been stopped long ago but for the fact that on such occasions people do not like a public row. Now, however, the thing has gone so far that if the persons imposed upon do not interfere some of the indignant neighbors are likely to do so. As a matter of fact, in most civilized places the charivari is practically unheard of. It is considered both a personal and a public disgrace when it happens, and yet we are allowing otherwise respectable boys to do it regularly without protest. It is certainly to be hoped that the parents of the boys, victims of the charivari and the people of the neighborhood would hesitate to take drastic measures if another performance occurs like the one this week and on several other occasions recently.—Grand Island Press.

An Enjoyable Event at Murray.

A number of young people spent a very enjoyable time last Saturday evening at the home of Miss Madge Young in Murray. Numerous games were played, the principal one being progressive peanuts. The Misses Sherwood of Plattsmouth delighted all with their music. Miss Roberson gave a reading and Miss Shankland, of Lincoln, sang. During the evening dainty refreshments were served by the hostess.

Those present were Misses Elvena Roberson, Rena and Jennie Gregory, Gertrude Long, Grace Shrader, Madge Young, Daisey and Nellie Sherwood, of Plattsmouth, Nina Shankland, of Lincoln, Mrs. Janette Young, Mrs. Shrader and Miss Ada Turner, of Ord, Neb.; Messrs. Monroe Linville, of Skidmore, Mo., Robert Shrader, Gus Norris, Glenn and Galen Rhoden, Guy Reese, of Sterling, Neb., Roy and Tom Shrader, Robert Fitch, Sam Brooks, of North Dakota, Bert Philpot, Tyler Shephardson, of Weeping Water, and John Noel.

Good-nights were said at a late hour and all voted Miss Madge a delightful hostess.

Worthless Checks.

Merchants usually deposit all money in banks, and pay their bills with checks or drafts on that bank. Accept checks from reliable people only, as it often happened that worthless checks were circulated. It is a fraud, the same as when a worthless mixture is being forced upon you in place of the genuine Triner's American Elixir of Bitter Wine. This preparation has been acknowledged by all classes of our people as the standard remedy, in all maladies of the stomach, liver and the kidneys. It promotes digestion, and makes new blood, rich in red corpuscles; it strengthens the nerves and the brain. This preparation has been endorsed highly by the clergy, by estimable citizens, by ladies and by physicians. The most delicate stomach will accept it readily. It is composed of pure grape wine, bitter herbs, known for their efficacy on the stomach. At drug stores and at the manufacturers, Jos. Triner, 799 Ashland avenue, Chicago, Illinois. Pilsen station.

Confessions of a Priest.

Rev. John S. Cox, of Wake, Ark., writes, "for 12 years I suffered from Yellow Jaundice. I consulted a number of physicians and tried all sorts of medicines, but got no relief. Then I began the use of Electric Bitters and feel that I am now cured of a disease that had me in its grasp for twelve years." If you want a reliable medicine for Liver and Kidney trouble, stomach disorder or general debility, get Electric Bitters. It's guaranteed by F. G. Fricke & Co. Only 50c.

Read Hayden Bros. ad in this paper.

You Won't Mind!

We hope that you won't mind being prodded gently about your Winter Suit for its time you are thinking about it.



If every man who goes to the tailor for his clothes should see the Suit Elegance we are now showing, we are very much afraid that some of the tailors would have to close up shop.

See the three and four button Sack Suits, Single and Double Breasted Styles. Hand padded collars, narrow lapels and hand made button holes. Trousers cut generous in width.

Yes Sir, we want you to buy one of these suits. Long range in prices, \$5 to \$20. See them.

Leading Clothier....

-MORGAN-

Leading Clothier....

To Cure a Cold in One Day

Cures Crip in Two Days. on every box, 25c. This signature, E. W. Lyon

Seven Million boxes sold in past 12 months.

Richards Found Guilty.

A special from Des Moines, Iowa, to the Omaha Bee, under date of September 29, says: "W. S. Richards of this city and of Creston, formerly deputy United States marshal, was convicted at Indianola today of the crime of breaking and entering a house in the night time for the purpose of robbery. The jury took but one ballot on the question and it was unanimously for his conviction. The verdict came as a surprise to the defense, because they had put up a remarkably good defense and felt that they had completely destroyed the evidence of the state. The attorneys for the prosecution hardly expected a conviction, but hoped for a hung jury and a second trial. There was so much of evidence brought out in the case that was a surprise to both sides that it was felt that the trial would have to be gone over again. Richards is out on bonds, his principal bondsman being United States official and prominent residents of the city, and they have stood loyally by him and still insist that he is the victim of a conspiracy and not at all guilty. A strong effort will be made to get a new trial from the courts. Richards did not go on the stand in his own defense at this trial. The third member of the trio that participated in the Sullivan robbery at Hamilton has never been apprehended. This is Charles Redrup, according to the statement of Frank Baird, who made the confession. Baird got an eighteen-year sentence, and it is expected that Richards, who planned the whole robbery, according to his story, will be sentenced for a longer time."

Parmelee Theatre

Next Saturday Evening, October 3.

"Under Southern Skies!"



Production Massive and Complete in Every Detail.

PRICES:—25, 50, 75, \$1.00 and \$1.50.

Auction Sale of Horses!

AT EIGHT MILE GROVE Near the Church.

Saturday, Oct. 17, '03.

All Purpose Horses, from Three to Eight Years Old; Good Sized Animals and Well Broke. Single and Double Drivers.

Terms: Time given to suit purchaser by giving a good bankable note. All proper must be settled for before being removed from the premises. W. D. JONES, Auctioneer.

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SEAMLESS and Cannot Rip!

ALL SOLID SHOES

for Severe Service.

Ours are Extra Good. Men's, Boy's and Youth's from \$1.85 to \$2.50.

Sherwood & Son.

BY KEEPING IN LINE!

And marching straight to

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Weekback & Co.

where you will be repaid for your trouble by getting the best on the markets.

Groceries, Canned Goods, Fruits, fresh daily from the markets.

VEGETABLES, gathered fresh every morning.

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