

The Plattsmouth Journal.

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TART CURB-STONE JOSHINGS

Culled, Clipped, Penciled and Prepared for the Readers of the Journal.

A little too cold for beer, Not cold enough for stews, Such weather is very distasteful And gives some people the blues. More people get poor taking chances than get rich.

Somehow the man whom the world owes is a poor collector. A good, soaking rain is what the farmers are praying for.

A little work in the garden is the best kind of physical culture.

Isn't it about time to serve an injunction on the weather man?

It's a pity that some women can't think as fast as they can talk.

The girl with a twin brother is up against it when it comes to concealing her age.

The ice cream season is slow in materializing, but some people will have it at all hazards.

When you get into a snarl don't worry how you did it, but get out as quickly as possible.

Some people don't know good manners when they see it. Some should be taught their first lesson.

"Your neighbors' chickens are all right provided they lay in your barn," says the wise man of the Fremont Tribune.

Will Plattsmouth celebrate the Fourth of July this year? Let's all stay at home and have a big time of our own.

Many people keep poor trying "get-rich-quick" schemes. We know of one in this city who has become much poorer than he was two years ago trying this business.

The weather is warming up again and in a short time linen dusters will be the rage, and people will want to shed their flannels.

If you would knock a stubborn man down instead of stopping to argue with him you would save a lot of wind and much valuable time.

Some men in this town can "blow off" loud and long, but that's about all they can do. People pay but little attention to such "blow hards."

Plattsmouth goods for Plattsmouth people is the rule. Plattsmouth people should cling to it if they want to keep Plattsmouth money in Plattsmouth.

If people don't love you, it really doesn't matter much. A certain Plattsmouth man is generally despised, but he seems to get along about as well as anybody.

"Buffalo Bill" blames the women's clubs of the world for the adverse decision in his divorce suit. In other words Colonel Cody has been clubbed. Well, he deserved it.

An immense crowd was in town Saturday, drawn here from various sections of the county by Dovey's great bargain sale. Many were here from Mills and Fremont counties, Iowa.

The women's Federation of Clubs is discussing the question, "What is the best preventive of divorce?" If we were consulted we would venture to suggest three good meals a day served at home every day in the year.

"It would be entirely different if the people did as they prayed," says an exchange. Some church members in Plattsmouth put in their time on Sunday praying for a chance to cheat someone on Monday.

The Omaha News has settled a vexed question. It says the reason there are so many old bachelors is because there are not enough women to go around. Evidently the News does not know the vast number of old maids in Plattsmouth.

A young lady of this city says she will not marry a man who drinks, chews tobacco or smokes. She is rather too particular, and may be glad to get one with all these faults before she dies. The model she wants is a scarce article in this or any other town.

Every town has its fresh young men but Plattsmouth has a good many who have nothing else to do than stand on the street corners of evenings and "guy" every young lady that passes by. There is going to be a great roar made to the mayor one of these days in regard to the duty of the police force in this direction. This nuisance should be stopped.

Some people can never take a hint. They will walk right into a man's office with the words "hands off" staring them in the face, take papers from the desk without even asking the privilege. Some of the fellows will get insulted one of these days who infringes too much on our good nature. Papers on an editor's desk are private property, and people who have not enough sense to know this, must be told in plain language.

Another Warning to Boys.

Charles Chassott, a fourteen-year-old lad, was quite badly shaken up last Saturday in the Missouri Pacific yards. He got aboard the south bound passenger train at the depot, as he had often before done, to ride a short distance and then jump off. The speed of the train was apparently some faster than he expected when he leaped to the ground, as he lost his foothold and his head struck the hard roadbed with such force as to render him unconscious for some time, but his injuries otherwise were not of a serious nature. This a very dangerous habit that some of the boys of this city have gotten into that should be stopped. Everyone caught in the act should be arrested and fined. And it should be compulsory on the part of the station agent to report such acts to the authorities.

THE BIENNIAL ELECTIONS.

Omitted Emergency Clause Making Test Case Impossible Until Law Goes Into Effect.

All hope of testing the bill for biennial elections by mandamus proceedings in time to permit of holding the conventions at the usual time has gone glimmering with the discovery that no emergency clause was attached to the measure, which, therefore, does not become effective until June 30, says the Lincoln News. Until the law goes into effect all efforts to file petitions for nominations or mandamus the governor to issue election proclamations will be of no effect, it is said, from the fact that the present statute is now in force and the new one cannot be brought before the court. The supreme court will adjourn the January sitting in June before the test case can be instituted, and such proceedings will have to wait until the September term, which will begin only five or six weeks before election day, under the terms of the old statute.

The prospect of a greatly prolonged period of uncertainty as to the constitutionality of the measure, it is claimed, will have the effect of delaying the calling of a special election for the choice of a successor to Burkett until the governor can determine whether or not the regular election in the fall will be dispensed with. He has leaned toward the belief that it would be much more economical to hold the two elections at one time if the old law remains in force.

Had a test case been instituted so that the validity of the bill could be decided before the court adjourns the January sitting, a decision in favor of the law could have been followed immediately by a proclamation calling a special election. As the situation stands at the present time there is uncertainty as to the outcome. Should the governor await the decision of the court, it is probable that after due formalities have been complied with, the election could be held earlier than the regular time in November, no matter what the decision of the court might be. It is this condition which leads some of the interested parties to hope that the election will be called early, whatever will be the decision as to the biennial bill.

The two test cases suggested so far were to proceed along the lines of a mandamus action. In one it was proposed to ignore the time limit fixed in the statute for the issuance of the election proclamation and institute mandamus proceedings to compel the governor to issue one. That would take the question involved directly into the supreme court.

The other is that proposed by O. P. Polk who plans to secure a nomination for county judge by petition and offer to file with the county clerk, whose refusal would be made the basis for immediate proceedings for mandamus, which would be taken promptly from the district to the supreme court.

The Time Is Ripe.

Now is the time for all concerned to begin to beautify our city. Let every one see to it to put his or her premises in the cleanest possible condition. A clean place is a lovely place. A dirty place is an offence to nature. If every one would see to it that his premises are put in order the city would soon have an inviting appearance. In cleaning up give the tree topper a wide berth. He is the ruination of shade trees.

A Fine Outfit.

W. M. Barclay received a handsome delivery wagon last week, which bears the lettering of the Willow Springs Brewing company, of which he is their general agent at this place. Billy is as proud as a peacock over the outfit, and he draws the reins over as fine a team of horses as there is in the county. He has cause to feel proud.

JUDGMENT FOR MRS. WEBB

After a Hard Fight in the Court, the Jury Gave the Plaintiff \$9,500.

"A hard case was begun Monday morning when the court took up the suit of William H. Stull vs. the C. B. & Q., in which he asks for damages for the death of William Webb, which occurred accidentally while the repairs were being made on the Plattsmouth bridge in February, 1903. J. W. Dewese of Lincoln and Byron Clark of Plattsmouth are assisting W. S. Lewis in the defense of the railroad company, and L. T. Genung is being assisted by Shirley Gilliland, and Matthew Gering of Plattsmouth in the prosecution of the case. A large number of witnesses are here from different railroad points, among them J. C. Sheehan and John Pencil of Galesburg, Ill., J. Kelly of Brookfield, Mo., C. A. Peterson, C. A. Gohman, H. F. Deering, Henry A. Gundermann and M. W. Smith of Plattsmouth. A small model of the bridge in the vicinity of the accident and several pictures are used to inform the jury of the nature of the accident."

The above is from the Glenwood Opinion, which was issued on the morning of the day on which the jury gave Mrs. Webb a judgment for \$9,500. The manner in which William H. Webb met his death is still fresh in the minds of the Journal readers. The case was hotly contested, the principal attorney for the plaintiff being Hon. Lew T. Genung of Glenwood, one of the greatest and most successful attorneys in western Iowa. The Journal editor has known Mr. Genung for a number of years, and from the day we learned that he was to be engaged in the prosecution, we came to the conclusion that Mrs. Webb would be successful in her suit for damages. While the result of this case is a big feather in the noted lawyer's cap, it is proper to say that he is willing his assistants should come in for their share of the glory.

The following from the Glenwood Tribune gives a more extended account of the case:

"The Plattsmouth railroad bridge case, which begun Monday, was given to the jury Thursday afternoon. It has been a hard fought contest all along the line, involving some fine points in the law and evidence."

"William R. Webb in February, 1903—two years ago—fell from the Plattsmouth bridge and was dashed to death on the ice below."

"Webb at the time was working with others in the reconstruction of the bridge. Several of his fellow workmen saw him fall."

"A suit against the Burlington for \$10,000 damages was instituted by the Webb estate in Mills county court, it being alleged the accident occurred in this county."

"The estate also contended that Webb's death was due to the action of the company's foreman in removing (unknown to Webb) certain heavy timbers that weighed down certain planks on which the men were in the habit of passing back and forth in their work. Webb stepped on the end of one of these loose planks and was precipitated below."

"In defense, the Burlington asserted two things:

"First—That Webb's death resulted from his own negligence."

"Second—That the accident occurred in Nebraska, and not in Iowa."

"Considerable testimony was taken on the point establishing the center of the channel of the Missouri river—the dividing line between Iowa and Nebraska."

"Maps, charts, drawings, photographs, and testimony of various witnesses, were submitted. Surveyor Seth Dean made a drawing of the bridge and river and was an important witness on the stand."

"Webb fell from the south side of the bridge and a short distance to the west of the center pier. Lawyers for the estate contended that the center of the channel was 90 feet to the west of this pier. The railroad company asserted the pier divided the center of the channel."

"A decision by the jury that Webb fell in Nebraska would end the action, as the statute of limitation would bar the bringing of a second suit in that state. The law states that an action for personal damages must be brought within two years."

"Another thing, the laws of Iowa and Nebraska differ radically on the question of responsibility in railway accidents."

"Iowa is one of the very few states having a special enactment that provides that damages may be recovered from a railroad company where injuries are sustained through the negligence of a co-employee."

Child Seriously Burned.

On Friday evening of last week little Bertha Sals, the eight-year-old daughter of Henry Sals, and her brother one year younger, were playing near a bonfire when the little girl's clothes caught fire and she was burned in a frightful way about the limbs and hips. Her little brother attempted to smother out the flames and received severe burns on the hands.

The screams of the children attracted the attention of the mother, who smothered out the flames with her own skirts. Dr. Worthman was summoned and dressed the wounds of the unfortunate children. At time of going to press the condition of the little girl is most critical, but Dr. Worthman has hopes of saving her life.—Louisville Courier.

Another Pioneer Passes Away.

Mrs. Margaret Gustin, one of the early pioneer settlers of Cass county, died at the home of her daughter, Mrs. Godfrey Fiecker, three miles south of this city on Saturday, April 15, 1905. Mrs. Gustin was about 80 years of age, and came to this county in the early territorial days. Her family were here when the Indians were very numerous, and the land upon which the city of Plattsmouth is built was a vast wilderness. She could relate many incidents of her early career in this county that was very interesting to her company. Mrs. Gustin was an excellent lady and her demise is mourned by all who knew her.

Fifteen Children.

We notice that the Chariton (Iowa) Leader is drawing attention to the fact that a couple near that city have just been presented with the twelfth child, and wants President Roosevelt to stop on his return trip from California and visit the family. Now, this may be something to brag of, but Cass county has one instance that beats it by three. A daughter was born to Mr. and Mrs. Frank Cappin, near Weeping Water, on March 27, 1905, making the 15th child. Now, if you can beat this you can come again. President Roosevelt, in his rounds of visiting large families should not pass by this one.

Always Attracts Attention.

Kickers always attract attention—one class of them sells high on the market. The highest-priced four-legged kicker is a hybrid creature, irritable somewhat unscriptural. The chronic kicker is an amusing two-legged animal, not so dangerous, however. A kicker never builds up. He is great on tearing down. The world's happiness has been promoted by more compliments than by curses, so dear reader, when you feel like kicking just retire to the back yard and kick yourself a few times rather than join the knocker's chorus.

Refused a New Trial.

Judge Jensen finished the business of the March term of the district court Saturday, and one among the last matters to come before the court was a motion of the attorney for Dr. Johnson of Avoca, for a new trial. Dr. Johnson was convicted and fined \$50 on the charge of prescribing medicine without first obtaining the proper credentials for so doing. The case, we understand, will be taken to the supreme court.

A Friendly Action.

County officers cannot yet read their title clear to that extra year of the legislature made them a present of, as a mandamus suit to compel the governor to issue the election proclamation as usual this fall will soon be brought. The suit, however, is not brought by any "kicker," but is simply a friendly action to settle the matter in time for the regular fall election should the court hold against the law.

A Rapacious River.

John Roennau of Treynor, a former prominent farmer of Mills county, greeted Glenwood friends Friday. In speaking of the ravages of the Missouri River, Mr. Roennau says that he once refused \$60 per acre for his 640 acres of land near Henton, but in 1892 he sold what he had left of it, 120 acres, at \$20 an acre. He further says that the Roennau families lost over 1800 acres of land by the freaks of this treacherous stream.—Glenwood Tribune.

Don't Know Any Better.

The Plattsmouth New editor finds it a hard matter to refrain from heaping great praise on the legislature for the few things they did, and much they might have done and didn't. If you have any praise to bestow, donate it to Governor Mickey and his little veto hatchet.—Weeping Water Herald.

Nothing in the Rumor.

The Omaha Bee correspondent of this city is responsible for the following which appeared in last Friday's issue of that paper: "It is said that twelve young women are to resign their positions as teachers in the Plattsmouth public schools in order to get married." Knowing his proclivities for getting matters considerably "mixed," we have taken the opportunity of finding out just how much truth there was in the report. Upon investigation we find that all but five of the present teachers have made application for their retainment the next year. Many patrons of the Bee in this city are becoming very weary of the manner in which its representative here gets matters mixed.

"HOME FIRST---THE WORLD AFTERWARD"

A Few Suggestions for Those Who Believe in Building Up Home Industries.

Here we are in the midst of a big effort to induce several manufacturing establishments to locate in Plattsmouth. The largest industry of this character of which our city is possessed is a flouring mill, which is perhaps equal in every way to any mill in the county. Recently this establishment has been overhauled, and new and modern machinery has taken the place of the old. The quality of flour manufactured is as good as any sold in the city; the capacity is more than equal to the demand, and yet we see load after load of flour shipped in and sold by our dealers. Is this the proper way to keep manufacturing enterprises in our midst? In our effort to get new industries, would it not be just as well to spare a little bit in keeping what we have, especially when it costs no more than it does—a patronage that justly belongs to it? Mr. Heisel is one of our people, has lived here for years, his flour will compare equal in quality to that shipped in, and it would be just as well for our home merchants who should be interested in building up home industries, as well as home trade in every branch of it to think of this business, as they go along.

The above suggestions comes to our mind as we note so much outside flour shipped in, and it would seem that right now more than ever is this case. If we would build up our city we must do so within ourselves as much as possible. Don't yet on your ear at people who go to Omaha to buy goods, when you are guilty of doing that of which you complain. "What is sauce for the goose is sauce for the gander."

When our people learn to be more congenial in our business relations, and unite on the system of "Home first—the world afterward," we can then expect that prosperity which is properly due to Plattsmouth.

Due in June.

This is supposed to be the year of the coming of the so-called "17-year locusts," which insects, having heretofore arrived on schedule time after years, will doubtless make their appearance in the summer. One who has studied the habits of locusts writes as follows concerning them: "The 17-year locusts are due in June, 1905. They made their appearance in 1854, again in 1871, and the last time in 1888. The only damage done by them is the depositing of their eggs in the twigs of large trees and the bodies of small ones. They are apt to injure trees in the nursery or young orchards, especially where oak timber was standing seventeen years ago. They seem to thrive best in oak timber, being seldom found anywhere else, and never in pine or hemlock forests. Fowls of all kinds are very fond of them and get fat eating them."

What About the Peach Crop?

One of our fruit growers stated Tuesday that he had made an examination of the peach buds and found a number that looked as if they were alive, but upon putting them to the test of a powerful microscope the fact developed that in almost every case the buds that had a thrifty appearance were really dead in the germ. This would indicate that the peach crop for the coming year is in all probability a failure.

A Successful Entertainment.

Miss Francis Heber, in the Bestor district, gave a basket social last Saturday, which was a big success in every particular. The proceeds amounted to \$9.65. Miss Heber is one of the most successful teachers in Cass county.

Anything you want in the wall paper line at Gering & Co.'s at the right price.

PURELY PERSONAL MATTERS

Pertaining to People Who Visit Plattsmouth and Plattsmouth People Who Visit Abroad.

Herbert Sherwood was in Lincoln Monday.

Martin Hamil of Alvo, was here on business Friday.

Thomas Darnell of Lincoln, was in the city Monday.

J. B. Seybolt of Murray, was a Plattsmouth Saturday visitor.

Fred Rughle and son of Wabash were county seat visitors Friday.

T. L. Gage of Lincoln, was in Plattsmouth on business Monday.

W. A. Cleghorn was down from Louisville Friday on business.

B. F. and Bert Dill of South Bend were county seat visitors Friday.

L. W. Ingwerson of near Nehawka, was a county seat visitor Saturday.

Miss Etta Crabtree, a Weeping Water teacher, was in the city Saturday.

Otto Tague came in from Cambridge Saturday night to visit home folks.

B. K. Leyda of Falls City was visiting his son, J. M. and family, the past week.

Miss Rena Atwell of Nebraska City, is a guest at the home of John Fass-berner.

Herman and sister, Miss Antonia Kessler, visited friends in Lincoln Sunday.

Misses Luella Taylor and Louise Mickle of Union, were in Plattsmouth Saturday.

Dr. J. M. Greene and wife of Manley, were guests of Plattsmouth friends over Sunday.

Frank Smith went to Union Sunday to visit his mother and remained until Monday evening.

Miss Grace Lake of Murdock, was among the good looking school ma'ams to visit Plattsmouth Saturday.

Lloyd Gopen was in Saturday to renew the subscription of his brother, Sam, at Hyattsville, Wyoming.

Mrs. P. D. Bates and her brother, Charles Miller, went to Ashland Friday to attend the funeral of a relative.

Misses Ina and Elsie Kimberly of Greenwood, and Miss Belle Dwyer of Weeping Water, were here Saturday.

A. T. Campbell of Rock Bluffs called Saturday and ordered the Journal sent to G. W. Campbell at Belgrade, Neb.

E. S. Barstow, car inspector, was down from Lincoln Monday. Ed's many friends here are always glad to see him.

Col. Kroehler came down from Havelock Sunday to attend the funeral of Mrs. George Kroehler, which occurred Monday.

Miss Lena Burns, one of the hand-somest young school ma'ams in Cass county, was here Saturday from Weeping Water.

Chas. Neuman and family spent Sunday with relatives in this city. They were accompanied by the former's brother, Frank.

Mrs. Fred White, principal of the Cedar Creek schools, was in the city Saturday in charge of the examination of several young school ma'ams.

Miss Susie Domingo of Weeping Water, and Miss Alice Sherman of Avoca, were here Saturday to attend the special examination of teachers.

August Nolting, one of the Journal's enthusiastic supporters, and one of Cass county's energetic farmers was in Saturday to renew for another year.

After a visit of a few days with W. Osborne and family in this city, Mrs. E. H. Osborne and daughter departed for their home in Central Neb., Friday.

"Posey" Messersmith, who has been in the employ of the Burlington for over thirty years, has resigned his position as switchman in the local yards to engage in the chicken business.

Ernest Roesner and wife of Lincoln, Sunday in this city. Mr. Roesner has almost entirely recovered from injuries received in a recent wreck near Creston, Iowa, in which his engineer was killed.

J. H. Bachelor and G. W. Bates came over from Fremont county, Iowa, Saturday, and spent Sunday with the latter's father, Lemon Bates, who is in very poor health. They gave the Journal a pleasant visit Monday morning.

Dr. T. J. Todd came up from Sedalia, Mo., Friday evening. He has cut loose from Sedalia and will go into business with his brother at Omaha, who has built up a large business in dentistry and is unable to do the business without an assistant.