

PLATTSMOUTH LAD DROWNS IN POND

Lloyd Barr, Son of Mrs. C. Barr, of
this City, Meets a Sad Death
at Sabula, Pennsylvania.

The Journal is in receipt of a copy of the Dubois Morning Courier, of Dubois, Pa., which contains an account of the unfortunate accident by which Lloyd Barr, formerly of this city, lost his life. The Courier says:

"The first drowning ever known at the Sabula pond, according to the recollections of inhabitants living there ever since the dam was constructed, occurred Saturday night. The life lost was that of Lloyd Barr, a youth sixteen years of age, who lived with his uncle, James Duttry, whose home is perhaps a half or three quarters of a mile above the pond. The natives tell of rescues and numerous narrow escapes, but this is recorded as the first fatality.

"Lloyd Barr and three companions, the others ranging in age from twelve to fifteen years, came along in the evening about 9 o'clock and asked one or two of the campers on the east side of the pond, comprising a part of the Sabula Outing Club, for a boat. The campers do not like to appear ungenerous and refuse to lend their boats, yet they always fear the danger, as the young people of the surrounding district are wholly without training or practice in the use of boats and are utterly unaware of the importance of observing certain rules for safety on the water. This quartet of boys met a refusal as it happened, but were persistent, as they had their hearts set on enjoying a row. Finally they helped themselves to a small duck-hunting boat owned by L. S. Munch, which had a broken oar-lock. Mr. Munch says he warned them that the boat was not in condition, but they found some oars somewhere along the beach and paddled out on the pond. Not realizing the caution required to keep a craft of that kind right side up, particularly when in a measure disabled and carrying more in numbers than intended to accommodate, it was soon capsized. Mr. and Mrs. Munch, accompanied by a friend or two, had in the meantime put out in their naphtha launch for an hour's ride and did not know what the boys were doing. And it so happened that none of the other boating parties on the pond at that time were in the vicinity, and the first attention attracted by their shouting was from the shore. Mrs. H. A. Moore, who happened to be along the shore at the time was the first to understand that something was wrong, and being a strong rower and swimmer she at once jumped into a boat and put out in the dark in the direction the calls were coming from, and where she could see rather dimly that there was a boating party. At the same time she called to Mr. Moore, who was near their cottage, and he took another boat and started to the rescue. The overturned boat was several rods from the shore and the point from which Mr. Moore started was much farther, but she quickly covered the distance and found a lad exhausted but still clinging to the hull of the boat. She took him in. Two others were swimming towards the shore shouting that they were exhausted and must have help or they would go down. Mr. Moore's timely start saved them, as he met them and gathered them in. From these boys it was learned that there was still another in the party and that he had gone down. By that time Mr. Moore was so near the shore the boys he had could wade out, and he told them to jump out and wade and he would save time returning to the deep water for their companion. He cruised about where the boat went over, but could find no one. By that time the cottagers, some of whom had already retired, were out to lend their assistance. Some of them swam around and did some diving, but the most practical plan seemed to be to rake the bottom. Several long-handled rakes were gathered up and a number of row boats put out, but the exact location of the boy when last seen was hard to fix. D. L. Corbett asked one of the three rescued boys to get in the boat which he and L. S. Munch were about to start with and guide them as near to the spot as he could. Mr. Corbett rowed the boat and Mr. Munch handled the rake and in a few minutes they found the body. As near as could be told this was fifteen or twenty minutes after the youth had been thrown in the water. While the first efforts were being made to revive him a physician at DuBois, the nearest, was reached by telephone. He advised how to work to resuscitate the boy, and if it were possible it could be done without him as well as with him. Another physician, Dr. Davenport, was reached

later and requested to come, which he did. The campers and residents about the vicinity worked faithfully for more than an hour, but when Dr. Davenport arrived he made a careful examination and announced that it was useless to work any longer. The body was then placed on a cot and carried home.

"The youth had lived all his life by the pond and could swim, but was inexperienced with a boat. He wore a coat and enough heavy clothing to weight him down, but it was the opinion of the physician that he had been stunned by an oar or the boat in some way when it went over or he could have been seen struggling in the water by someone. The boy was raised by his uncle. His mother, who has not seen him since he was a little lad, lives in Omaha, Neb."

Finds Against Railroad.

The coroner's jury in the inquest on the body of J. F. Ford the Burlington brakeman, killed at Cedar Creek quarries on July 14 yesterday at Lincoln brought in the following verdict: "That the said Joshua Franklin Ford came to his death by injuries received at or near Louisville, Neb., and died near Lincoln Lancaster County, Neb., on July 14, 1908, by being crushed between drawbars of engine and coal car through negligence of C. B. & Q. Railway company."

Signed by M. Tebrinke, forman; Samuel Scott, J. H. Robertson, E. E. Carr, John Eckery, and T. J. Roberts.

The witnesses examined included the members of the train crew who worked with the ill-fated man and the doctor who attended him. Conductor F. E. Ledwith and Brakeman Charles Ayers testified they did not see the accident not being with the engine at the time. Brakeman F. L. Grainger who had charge of the engine at the time of the accident, testified that the injury was caused by the coal car to which they were trying to couple the engine, running backward upon the unfortunate man. An attempt had been made to couple the engine to the car but the automatic couplers failed to work and Ford was engaged in arranging the coupler on the engine when the coal car, which was standing upon an incline with no brakes set, ran down upon him, catching him between the tank of the engine the car, crushing his back and hips. The impact of the car caused the engine to move forward, the engineer reversed his machine. Ford fell to the track, crying out he had been killed. Dr. Worthman testified that death was due to internal hemorrhage on account of the crushing he had received. The engineer of the train was F. R. Whitaker. It is probable legal action will follow the verdict.

A Birthday Surprise.

At the pleasant home of Mr. and Mrs. Glenn Perry a birthday surprise was given in honor of Master Virgil Perry's 9th birthday.

The children enjoyed themselves in various games. Many beautiful presents were left as tokens of the occasion and which were greatly appreciated by the little host, as they will often remind him of the pleasant afternoon they spent together.

The refreshments consisted of ice cream, cake and punch. Mrs. Charles Perry and Mrs. Charles Spangler assisted Mrs. Glenn Perry in serving.

Those present to enjoy the occasion were Robin Richardson, Glenna Barker, Ruth Hamilton, Elsie Gopen, Mattie Gopen, Margaret Spangler, Roy Stokes, Walter Hamilton, Martin Spore, Oliver Gopen, Willie Richardson, Everett Spangler, Roy Clarence, Walker Gilmore, Oscar Gopen, Virgil Perry, Russell and Oliver Perry.

At a late hour the guests departed wishing Master Virgil many more happy birthdays in future years and congratulating Mrs. Perry as a royal entertainer.

In Judge Archer's Court.

The celebrated Archer brand of justice had an inning this morning when Wm. McMaster was arraigned before Judge Archer on the charge of being drunk. The facts in the case disclose that William had a sure cure for corns which he dispensed to the people for considerations, and after having obtained several considerations he invested the proceeds in the various brands of snake bite preventive, becoming as a result highly inebriated. He wandered into Pete Goo's stable thinking perhaps he was a mustang or other beast of burden, having so heavy a load, and Peter promptly informed officer Cory who gathered Wm. in. After a night spent with Jailor Manspeaker William faced his honor who fined him one dollar and the trimmings and gave him one hour to leave the city, suspending the fine if he did so. William adjourned to Iowa where he believed the tempter could not get him.

SAM BIGGS GOES FREE

County Attorney Rawls Dismisses the
Case Against Him—Probable
End of the Trouble.

The notorious Biggs case received its probable final ending Saturday in the justice court of Justice Archer, when that official sustained a motion filed by County Attorney Rawls to dismiss the case. The motion filed in behalf of the State contained no reason for asking a dismissal, and consisted solely of a brief and curt motion. After the developments of the past few days this action cannot be looked on in any other light than very extraordinary, and a decidedly curious action.

That a case prosecuted by a prominent citizen who gives security for costs should be so summarily dismissed would look as if there was some reasonable grounds for the many rumors which have stirred up the community for the past few days. Under the peculiar conditions surrounding this case, it would have seemed best to have allowed it to go to trial, but the county attorney's judgment was otherwise and he is the party who is responsible if justice has not been done.

The Biggs case filed originally before Justice H. D. Barr, was transferred to the justice court of M. Archer this morning, the defendant having filed the necessary motion last night for a change of venue alleging bias and prejudice on the part of Justice Barr, and securing the costs in the case.

This morning Justice Barr was unable to complete the transcript in the case and by agreement of Attorney Matthew Gering representing the prosecuting witness, and Byron Clark attorney for defendant, the original papers were filed with Justice Archer and a transcript waived. Matters had proceeded this far when County Attorney Rawls interposed in the case and filed the motion to dismiss which Justice Archer sustained and discharge the defendant. The arguments on the motion were more or less personal in their nature Attorney Gering's main contention being the lack of faith in dismissing the case manifested by County Attorney Rawls. He also severely scored John M. Leyda, Biggs, Rawls and others for their part in the case against his brother Henry R. Gering and insisted that their conduct was reprehensible. He did not seriously question the right of the County Attorney to dismiss the case but argued that this action tended to prove his claim of a conspiracy to defame his brother's character. County Attorney Rawls rested his argument upon his right under the statute to dismiss as well as prosecute all cases brought in the name of the State.

The court room was literally packed with people anxious to hear the case, there being a number of members of the W. C. T. U. present to encourage County Attorney Rawls and the defendant in their case. The general consensus of opinion of the spectators was that County Attorney Rawls had acted very unwisely in dismissing the case, as they felt Mr. Gering should have had a chance to vindicate himself. They were also unsparing in their criticism of the defendant's conduct, and those whom he claimed were behind him in the Gering prosecution.

County Attorney Rawls after the hearing was over stated to a Journal reporter that he wanted it distinctly understood that he would prosecute any and all cases where the evidence warranted; that all he asked was to see the evidence and have an opportunity to pass on its sufficiency, a perfect correct attitude if it is followed.

The vague rumors of other cases traced down seem to rest upon slender foundation as there is a general disposition to be little the imbroglia and let matters rest. The general public tired of the mess and would like to have the cases settled as Mr. Gering has now been amply vindicated by events.

One of the features of the case is the error of the correspondent of the Omaha Bee in stating that the saloons of the city were back of the prosecution of Gering & Co. No such rumors are afloat here and no such suggestion has ever been heard. The saloons men are not involved in the fight in any way.

Odd Fellows Picnic at Avoca

Avoca, Neb., July 17, (special to the Journal) The Odd Fellows will hold their annual picnic on August 6th. A number of attractions have been secured and a large crowd is expected to be present.

Suit for Divorce.

Anna Geiser Saturday began a sensational suit for divorce from her husband, John Geiser, Attorney Byron Clark filing a petition in district court that fairly bristled with charges, most of which are utterly unfit for publication. If the petition is substantiated John will emerge from the case about as black as hades.

Mrs. Geiser charges him with being an habitual drunkard and with using the vilest of epithets toward her. He also seems to have been guilty of cruelty in its most extreme and aggravated form, some of the forms being such as would come under the head of bestial. In her prayer Mrs. Geiser asks that her husband be enjoined from entering upon the premises or from maltreating plaintiff; that she be decreed the owner of the real estate in Micklewait's addition to this city, valued at \$700, and for such other and further relief as may be just and equitable.

HABEAS CORPUS PROCEEDINGS.

Custody of Minor Children
Thus Obtained Causes
Ill Feeling.

The habeas corpus case brought in county court several days ago by Melvin Karth to recover possession of his two minor children, came to a sudden end Wednesday afternoon, when the possession of the children was surrendered by the defendant Grimm to Karth and wife. The children were brought to the city by Sheriff Quinton on the Schuyler and immediately taken to Judge Beeson's office, accompanied by their parents, who met them at the depot. Mr. and Mrs. Grimm also came in from David City and employed A. L. Tidd to represent them in the case. When they were ready to proceed to trial a proposition to settle was made, the defendants being willing to settle for \$60, covering their expenses and the board of the children, which finally was accepted and paid by Mr. Karth, who also paid the costs, amounting to some \$25. Considerable feeling was manifested between Mrs. Karth and the Grimms, an outbreak in the court room being averted only by the endeavors of counsel.

As an outgrowth of this feeling Mrs. Karth began a suit against Grimm for \$198, the value of some household goods which she claimed they had converted to their use and which belonged to her. A summons in the case was served upon the Grimms, and they made haste to settle this case by agreeing to ship the goods to the Karths at this point. The case is still pending and is to be dismissed when the goods are received. The case bid fair to be a sensational one if tried, but apparently neither side wanted a trial, as the defendants apparently overlooked some of the legal defenses available. It had many humorous features.

Will Compete for Prizes.

The members of the local branch of Tel Jed Sokol society are making preparations to send a team from this city to Omaha, to compete in the great tournament to be held in Omaha on July 31, August 1 and 2. This will be one of the largest gatherings of Bohemian turners ever held in the west, the entries already comprising 125 men and fifty women turners, coming from several states. It is the regular meeting of the western district.

Mayor Dahman of Omaha will be present at the opening and deliver an address of welcome on behalf of the city, and a big time is expected. The local turners have great hopes of getting away with their share of the prizes, and as they are a fine, manly set of boys, their hopes may be realized. Emmons Ptak will be the delegate that will go from the local lodge to the grand lodge, which will meet at Detroit in a few days, and he will be present at the meeting. This convention is held every five years.

Fell From a Wagon.

Julius Ramage Saturday received severe injuries by a fall from his wagon. He had driven in behind the meat market of Kunsman & Ramage with his wagon and was standing on a box in the wagon when the team suddenly started up, turning the box over and precipitating him to the ground. He alighted squarely on his head, cutting the scalp some and badly wrenching and bruising his neck. His brother, Fred, witnessed the accident and went immediately to his assistance.

He was taken home at once and placed in bed. Today he was unable to be out although his injuries are not considered dangerous. It is thought he can get around again in a few days.

IS PLACED AT DISADVANTAGE

Home Contractors Apprised Only In
Verbal Manner of County
Work to be Done.

Local contractors have been somewhat wrought up by the discovery that bids had been advertised for by the county commissioners for concrete culverts and bridges throughout the county in the Weeping Water Republican, a paper which does not circulate in this community.

This is a matter for which the commissioners are not responsible, as that paper put in a bid for the county printing at a figure so low as to be ridiculous, and being so much lower than the other papers it obtained the job. The result was bound to be highly unsatisfactory, as local contractors could not know what work was contemplated, while the representatives of the big outside firms kept posted.

The commissioners had several bids due today, and when they came to open them they found only one bid was in, that of a Lincoln firm. Commissioner Friedrich took interest enough to verbally inform several of the contractors of the bids and also took occasion to call their attention to the fact that they can submit their own plans and specifications for the culverts and bridges, the plans to be approved by the commissioners.

As a matter of information to all parties interested The Journal desires to state that the commissioners are asking bids for a fifty-foot concrete wall to be erected at the head of Chicago avenue; also for a concrete arch culvert 7x8 feet to be put in near Capt. Isaac Wiles' place; also for a forty-foot concrete arch near Chas. Warner's place and a culvert 6x6 feet near Cedar Creek. They would be pleased to have all contractors call and talk the matter over, as well as submit bids.

In the County Court.

Before Judge Beeson in the county court Friday the hearing was had in the matter of the final settlement in the estate of Jas. L. Dewey. In this case John M. Leyda as guardian for several minor heirs, had filed objection to the allowance of the final report of Administrator A. D. Welton, on the ground that he had been allowing the widow fifty dollars a month for maintenance without an order of the court to that effect. Judge Beeson held the allowance to be all right and made an order to that effect. Leyda also objected to the administrator selling personal property to the value of \$1,500 without appraisers being appointed and an order of sale issued. The evidence disclosed that the minor heirs had taken part in the sale and were satisfied with the outcome, so Judge Beeson sustained the action of the administrator and approved his final report and gave him his discharge.

Peter Eveland as guardian of Robert Metter, incompetent, filed his annual report, showing \$7,390.03 on hand, which report was approved by the court.

The second hearing on claims in the Jno. D. Thierolf estate was also held, all claims filed being allowed.

The contest over the Johnson will did not come up, the parties being not ready to proceed to trial. The case was continued until September 15.

Wescott's Sons Shaping Up.

Wescott's Sons are slowly getting straightened around in their building, but hope to have everything lined up in a short time, and get back to their regular routine. The have collected together all the stock damaged by the storm and are placing it on the market at a great reduction from its real value. Much of the stock was practically uninjured, but it will go just the same. To keep the stocks separate, they have rented the Morgan building, next door west of their own building, and moved the damaged stock in there, where they will sell it. Both buildings have had new floor put in them and are clean and attractive, and should attract many buyers.

Sunday School Picnic.

The pupils of the St. Luke's Episcopal Sunday school Thursday afternoon gave a choice picnic at Garfield Park, there being a large attendance, some ninety pupils gathering together. A very pleasant and delightful afternoon was spent in the shade of the trees, games and pastimes for prizes being had and bringing out much competition. At the close of the day's delights, a bounteous basket supper was had upon the lawn and the gathering dispersed thoroughly happy.

Shot in Nevada

Many people here doubtless will recall Joseph Webb who visited Plattsmouth several years ago, perhaps more on account of his gigantic stature than for any other reason. From the Las Vegas (Nev.) age, the Journal learns of the killing of Webb by a man named Scott at Dry Lake, Nevada several weeks ago. From the paper it is learned that Webb was beating his way east and at Dry Lake he, in company with two other men was ejected from the train. After the train left the pumper at the station came out with a revolver and ordered the men to leave at the same time cocking the gun. The other two men immediately left but Webb was slow in starting and Scott fired several times one of the shots entering the left side of Webb's back just above the hip. He fell to the ground and was allowed to lay around in the hot sun until the afternoon of the next day when he died. From the report it was evidently a most deliberate and cold-blooded murder and the perpetrator deserves immediate execution.

Webb is remembered in this city as a simple and inoffensive man, not given to trouble and no one believes he gave the slightest provocation for the attack.

A Delightful Surprise Party

Last Thursday afternoon a most delightful surprise party was had at the home of J. J. Swoboda, the recipient Mrs. Josephine Janda. Quite a number of her lady friends had gathered there and the afternoon was spent in the most pleasant manner imaginable, games and amusements of all kinds being had. At the close of the party and delicious refreshments were served and when the afternoon had ended the guests voted it one of the best gatherings they had ever had. Those present included Mesdames Henry Donat, Louis Jiran, Joe Wooster, Frank Slavicek, Bookmeyer, John Nemetz, Emil Ptak, Joe Hyha, J. W. Bookmeyer, Jno. Swoboda and Frank Janda, jr.

Fire at Elmwood

A special phone message from Elmwood tells of a fire that raged at that place last night. The flames destroyed the building owned by Chas. Clapp, and occupied by Willett & Raker as a pool hall causing a loss estimated at \$450.00 with no insurance. The fine work of the fire department confined the flames to one building and saved the town from a much heavier loss.

While running to the fire with a hose cart Geo. Miller, slipped and fell, the cart passing over his leg near the ankle and breaking it. Medical assistance was at hand and the injured member was set and the gentleman made as comfortable as possible.

Meeting of Odd Fellows.

The annual installation of officers of Mystic Encampment No. 31, I. O. O. F. took place at their hall on lower Main street Friday evening, the occasion being much as usual in such matters—pleasant and interesting. There was a good attendance, the members taking much interest in the ceremonies. The new officers are as follows: Chief Patriarch, C. A. Johnson; Senior Warden, Wm. Holly; Junior Warden, J. E. Jones; Chaplain, John Kirkham. One of the humorous features of the meeting after the ceremonies were over, was the detection of Dave Wallengren still celebrating the fourth of July. He discharged several fire crackers before he could be caught and suppressed.

In Justice Court.

Judge Archer this morning disposed of two special appearances in the cases of Carroll vs Jeary and Carroll vs Village of Elmwood, et. al. In both cases the service of summons was quashed as the constable had failed to make correct service. A new summons was issued and the cases continued for service. The case against Mr. Jeary arises from claim for a commission due Carroll for finding a purchaser for land and for damages on account of Jeary's failure to pay taxes, &c. upon some property in his charge. The case against the Village of Elmwood is for the conversion of day.

Black-Berries Scarce

We are reliably informed that the blackberry crop this year will be very short, but notwithstanding this fact we see our excellent friend J. E. Leesley in town almost daily with a supply of this most excellent fruit. He tells us that the crop will be short, and requests all his patrons to place their orders as soon as possible.

Rev. Dr. J. H. Salsbury and Deputy County Clerk Morgan were absent from the city this afternoon wooing the finny tribe in the murky Missouri.