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## THE EXECUTIVE COMMITTEE MEETS

### The Nebraska Telephone Association Hold Two Sessions at the State Capital Thursday.

The Lincoln Journal says that the executive committee of the Nebraska State Telephone association met in that city Thursday to take up the matter of holding a series of meetings of the association in this city Jan. 13, 14, 15. Two meetings were held yesterday, one in the afternoon at the office of R. E. Mattison, and the other at the secretary's room at the Commercial Club. Those attending the meetings were C. G. Garlow of Columbus, W. H. Caman of Beatrice, W. E. Bell of York, T. H. Pollock of Plattsmouth, F. H. Woods, L. E. Hertz and R. E. Mattison of Lincoln.

At the afternoon session of the committee the business taken up was the matter of where the association meetings should be held. Some agitation was felt to have the meeting at Omaha but as all previous meetings of the associations have been held in Lincoln it was finally agreed to hold the meeting this year in this city. It was in a way agreed that the meeting of the association next year should be held in Omaha. Last night the committee was busied with matters of concern to telephone people, which are to be brought before the meeting of the association in January and also to be presented to the legislature at the coming session. The committee was considering the arrangements of the program to be held at the com-

ing meeting and it is thought by the members that a number of eastern telephone men will be secured to discuss matters of legislation before the association.

The chief legislative matter which the telephone people will have under discussion is the proposed physical connection bill. Mr. Pollock of the Plattsmouth company in discussing this matter last night said he was not certain to stand the independent people would take in the discussion. He said he believed the Bell people would oppose the bill and he was not sure that the independent people would not do the same. The physical connection system is a plan which provides for mutual exchange of service between the Bell and independent companies, so that if it should become a law the patrons of one company would have the benefit of the lines of the other company.

"The physical connection matter is a sort of a two edged sword," said Mr. Pollock last night, "and I am not sure that the advantages are equal to the disadvantages. To be sure there would be many times that our service would be made better by it but there would also be times when it would be greatly interfered with." Mr. Pollock was rather of the opinion at the show down the proposition would be opposed by both companies.

## CAN CAST THE DECIDING VOTE

### The Mayor Can Do So on the Question of Liquor Licenses.

The right of a mayor in a city organization under the law which the municipality of Hastings operates has the right to cast the deciding vote when the council ties on the question of issuing liquor licenses. So says the supreme court.

Last spring Hastings had a very exciting time of it with the liquor question. One "dry" council who thought he was elected was knocked out by county court, and this made a tie in the council, which the mayor broke by voting to issue licenses. U. S. Rohrer, went into court about the matter, and the case came up to the supreme court on two questions: One involving the right of the mayor to vote under the circumstances described. The other was whether a corporation could sell liquor in Nebraska. On the latter proposition the supreme court holds that a corporation can sell at wholesale, but not at retail.

In the councilmanic scrap between Gauvreaux and Van Patten, the latter wins. He got most of the ballots at the election, but some 87 of those voting for him in the second ward wrote on their ballots the name of U. S. Rohrer for mayor, when such an office was not to be filled under the call, but which some lawyers thought ought to be included. These were thrown out by the county court, on the ground that they were marked contrary to the law.

The supreme court says that the county court was in error. The instructions to voters in this respect are directory only. Therefore a vote for someone for an office not designated on the official ballot, by writing the name of the office which the voter wants a man to fill does not make the vote valid unless it is done to distinguish it for recognition afterwards or where it might reasonably be thought to be so intended.

### Another Burlington Promotion.

A special from McCook, under date of December 17, says: "Conductor George H. Pearce, of this city, has been appointed trainmaster at McCook, succeeding W. M. Weldenhammer, appointed superintendent at Sterling, Col., for the Burlington."

Fine stationery in Xmas boxes. — Irwin's.

## Only Three Survive.

From Friday's Daily.  
Thomas Wiles was one of the passengers this morning for Omaha where he intends to take in the corn show. While waiting for the train this morning Mr. Wiles happened to notice Al O'Neill at his work grading for the under grade crossing for the Burlington and this recalled the fact that Mr. O'Neill, his sister Mrs. Wm. Herold, and Mr. Wiles were the three survivors of the first school ever held in Cass county, it being located on what is now the Bajock property in the western part of the city. Mr. Wiles came to this city in 1854, and was one of the earliest settlers of the county. He knows much interesting history of early Nebraska which later the Journal hopes to print.

## BLACKMAIL LAW IS UNCONSTITUTIONAL.

### So Declares the Supreme Court in the Matter of Lester vs. Green.

From Friday's Daily.  
Robert J. Greene, a well known Lincoln attorney, convicted and fined \$200 some time ago on a charge of having extorted money from Clyde Lester, a saloon keeper, won his case in supreme court yesterday. That tribunal held that the law making extortion and blackmail a crime, is unconstitutional in that it seeks to restrict the law by defining it as a crime when only committed against citizens of the state. It therefore reversed the lower court and ordered the defendant discharged.

This holding knocks out the blackmail law as it is now upon the statutes. The law makes it a crime only when the alleged victim is a citizen of Nebraska. The court says this is special legislation. The fact that in the Greene case the victim, Lester, was and is a resident of the state, the court holds, makes no difference, as the vice in the legislation consists in the discrimination it exercises between persons.

The court says the state cannot limit the protection of its criminal laws to those who are its citizens and deny the protection to those who are citizens of the United States but who may be within its jurisdiction.

Mr. Greene's case was a hard fought one. He was accused in an indictment rendered by the grand jury of having made Lester pay him \$150 in consideration of his not taking steps to interfere in his getting a license to sell liquors. The principal points relied upon by the defense were that the evidence failed to show that any crime had been committed and that the defendant had once before then been put in jeopardy because after the trial had partly proceeded a juror took sick and the case had to be tried to a new jury. The supreme court does not pass on any point other than as above, and summarizes its conclusion in the following syllabus:

"Section 3 of the act of March 30, 1901, of the constitution of the state of Nebraska which forbids special legislation; as well as section 1 for the fourteenth amendment of the constitution of the United States, which forbids a state to deny to any person of the United States within its jurisdiction, the equal protection of the laws, in that the acts thereby prohibited are made only when committed against citizens or residents of the state of Nebraska.

"The rule that a court will not listen to an objection to the constitutionality of a law by a party who right it does not affect, is inapplicable to a case where the vice of the law consists in an unwarranted discrimination between the individuals against whom the aggression thereby forbidden is committed."

## Condition Not So Good.

From Saturday's Daily.  
The many friends of Mr. Joseph McCarthy will be sorry to learn that his condition is not so good. A few days since he was able to be out of the house and got down town where he spent the afternoon. On his return the attending physicians ordered him to bed and placed him upon a light diet. Another operation will have to be performed in his case and it is not sure that the sight of his left eye can be saved although they hope to do so. Mr. McCarthy in his misfortune receives the entire sympathy of the community and the universal hope that he may find the sight of both his eyes unimpaired when he gets out.

## Robbed in Nebraska City.

A special from Nebraska City under date of December 17, says: "Ora Schoonover was arrested Wednesday on a warrant sworn out by James Lane, of Nehawka, charging him with taking \$50 belonging to him from his person while he was under the influence of liquor. Schoonover is in jail, and his case will come up for hearing Friday, but not being able to give the \$500 bail the court remanded the prisoner to jail. The prisoner is a brother of the former chief of police.

## PIONEER DAYS IN NEBRASKA

### Mrs. Fairfield Tells of Some of the Trying Times in Earlier Days.

From Saturday's Daily.  
Mrs. George W. Fairfield, a resident of Omaha since April 22, 1856, one of Omaha's first settlers, celebrated her 81st birthday Thursday at the home of her son-in-law, G. C. Taber, 2104 Ames avenue.

Although her home for the present is at Plattsmouth, Mrs. Fairfield has lived in Omaha at different times for the past fifty-two years. Her husband, who died in that city four years ago, was a well known civil engineer, having surveyed the Burlington and Missouri river line of the Burlington from Plattsmouth to Omaha.

Mrs. Fairfield died just nine days before the date set for the couple's golden wedding anniversary celebration.

Mrs. Fairfield remembers well the early days in Omaha, and derives a great sense of satisfaction in relating incidents of that time. Mrs. Fairfield has three children. The oldest son, Joseph, lives in Gering, Neb., and her one daughter, Mrs. Taber, lives at 2706 Cuming.

In speaking of the early days Mrs. Fairfield says: "It was a common occurrence for the wives of the frontiersmen to say to their husbands in the morning, 'Here is your breakfast, Tom, the Lord only knows where your dinner will come from.' In the early days it was a common thing for the people when at church on Sunday, when the steamboat's whistle was heard during the sermon, to run down the street to the river bank to meet it. After spending a few days without bread, it was no wonder that they were overjoyed to know that the boat was filled with sacks of flour." As to the Indian uprisings during that time Mrs. Fairfield says: "The only one that I can call to mind is the one in the early '60s when the Indians drove all the settlers out of the Salt Creek district and they all came to Plattsmouth for protection. We made beds all over the floors, but it was only a scare and they went back in a couple of days."

Seven years ago Mrs. Fairfield became totally blind, and was so for four years, until a cataract was removed from each eye. Since that time she has been able to see very well.—World Herald.

### Grand Ball at Murray.

George Berger has notices out announcing that on Friday evening, December 25 (Christmas night) he will give a grand ball at Jenkins' hall at Murray. Those who have attended dances given by this gentleman know that he always has the best of everything to make such occasions a grand success. The best of music has been engaged for the occasion, and nothing will be left undone to make this one of the best dances ever given in Murray, and those who fail to attend this Christmas ball will miss something grand. Everybody come, as a good time is assured.

## Box Social.

and entertainment at the Becker school house on next Wednesday evening, December 23. You are invited to attend.

## ANOTHER PIONEER PASSES AWAY

### Brief Biography of James A. White, One of the Best Known Citizens in Southeast Nebraska.

From Saturday's Daily.

James A. White was born in Allegheny County, Va., August 29, 1829, and died at his home in Elmwood on Wednesday morning, December 2, of kidney trouble, aged 79 years, 3 months and 3 days. Mr. White has been an invalid for the past four years, and his death was not unexpected as he had been gradually growing worse for the past few months.

When a young man Mr. White spent seven years teaching school, as he had a good education. Later he gave his attention to farming and became an overseer. He bought some land, but shortly after sold it again, retaining his position until he went into the confederate army enlisting in the year 1861. The first year he served in Wise's Legion; the second year he was one of Company F, 10th Virginia cavalry, and served under J. S. Davis. He took part in the Canawale Valley skirmishes, was at Little Sewall mountains against Rosecrans; in 1862 was at the battle of Yorktown and Williamsburg, and took part in all the battles of the Army of the Potomac and Virginia. He was wounded at the battle of Juberg, being shot in the upper part of the arm, the shot going completely through it. Although he was laid up only one month he was fitted for cavalry service and until the close of the war discharged the duties of quartermaster. He was but fifteen miles from General Lee when the order came to disband, when he returned to his home. Three years later he removed to Nebraska arriving at Nebraska City, November 28,

Deceased was married again April 12, 1896, at Crozet, Va., to Mrs. S. M. Dettor, who survives him, and who has been a helpmeet indeed during her husband's long illness.

Mr. White was a genial, whole-souled man, with a kind word for everyone he met, and was always referred to as "Uncle Jimmy" and was loved by all. He was a member of the A. F. & A. M. lodge of Elmwood, and was buried by that order at Palmyra, the services being held at the Baptist church, of which society he has been a member since he was 16 years of age. The sermon was preached by Rev. Mr. Korsey, the pastor at Palmyra.—Elmwood Leader-Echo.

1868, when he remained about a year when he went to Russell's precinct, in Otoe county, where he homesteaded eighty acres of prairie land. After years of hard labor he had a well improved and valuable farm, having endured all the hardships of a pioneer life. In 1883 he engaged in the grocery business at Palmyra in company with L. N. Foster; not liking this business as he thought he would be returned to the farm, where he remained until a few years ago when he removed to Elmwood. On October 22, 1850, Mr. White was married in Virginia to Mildred A. Hill. Mrs. White died January 21, 1886. To this union seven children were born, five of whom are living: James A., and E. E., of Palmyra, Neb., W. H., of Portland, Ore., Mrs. A. S. Chamberlaine, North Platte, Neb., and Mrs. Sarah L. Turnbull, of Lincoln.

## Stay Comes to Close.

From Friday's Daily.  
Ed. Barker departed this noon on the mail train for his home at Plainview. During his brief stay in the city Mr. Barker met many old friends and when he left he enrolled in the long list of subscribers to the Semi-Weekly Journal. Everybody who knows Ed. Barker knows him as a genial whole-souled fellow, a man whom everybody can admire and respect and it is to be regretted that he visits this city so seldom. It is hoped that he can soon return and that he can bring Mrs. Barker and the little ones with him and enjoy a genuine visit with home folks. Mr. Barker would have departed for home earlier had it not been for the untimely demise of William W. Slater, one of his closest and most intimate friends. Business matters compelled his return before the funeral although he greatly regretted the necessity of leaving.

## Has Leg Broken.

From Saturday's Daily.  
Judge M. Archer today was in receipt of a letter from Mrs. Will Archer, his son's wife conveying the information that his son Will has suffered the misfortune of having his leg broken last Sunday and was confined to his bed. It seems Mr. Archer had been to Alliance, his nearest town, to look after some business and was returning home on horseback when his animal tripped and fell to the ground, throwing Mr. Archer and fracturing his leg. A physician was hurriedly summoned from Alliance and he set the leg. The young man is resting quite well now and there is every reason to believe that he will get along all right. Mr. Archer took up a homestead under the Kinkaid act some twenty miles south of Alliance and has been doing finely during his stay there. He was formerly a machinist in the employ of the Burlington at this city and other points.

Charles Bogue and son Edward, of North Platte, Neb., who have been visiting in the city the guests of Sam Smith and family, departed on the mail train for Omaha where they will take in the corn show after which they will return to their home. S. Ray Smith accompanied them intending to make a visit with relatives and friends at Grand Island, North Platte and Halloway, Neb.

## Thirty-Third Wedding Anniversary.

From Saturday's Daily.  
Wednesday, December 2nd, was a day long to be remembered by Mr. and Mrs. S. Hulfish of Wabash. About two o'clock on the above date a party of some eight or ten gentlemen, backed by two score of ladies, entered the drug store, captured Steve, and placed him at the head; the column marched to his residence where Mrs. Hulfish was found deep in her duties of the culinary department. So great was their surprise at the arrival of their friends that it took some time to bring to mind that it was the thirty-third anniversary of their marriage, which took place December 2, 1875, in Owensville, Ind. After the introductory services at the house were over Mr. and Mrs. Hulfish were notified that the M. W. A. hall and a host of friends with a grand wedding feast were awaiting them. The hall had been decorated for the occasion by kind friends several days in advance, and everything was in readiness upon their arrival. After some time spent in reminiscences, followed by music the feast began. It was a brilliant reminder of the fact that the ladies of that locality do things the way that mother did them. After everybody had eaten all they could and then some, Mr. H. T. Richards presented the couple, in behalf of their many friends, a substantial present to commemorate the eventful occasion. Mr. and Mrs. Hulfish replied in an appropriate manner and with the best wishes of their many friends for many successive periods of like occasions the company adjourned.—Elmwood Leader-Echo.

## An Industrious Stock Raiser.

From Saturday's Daily.  
Dave L. Amick was in the city yesterday and met a great many of his Plattsmouth friends. Mr. Amick is now handling stock at Murray and in the past few weeks he has sold many head at the South Omaha market. A few days ago he shipped a fine car load of cattle from Murray which brought him a tidy sum and was a generous reward for his industry in raising them. As a stock grower, Mr. Amick is a pronounced success and he is one of the best type of citizens Murray and vicinity affords. A live, energetic and vigorous young man he has achieved a reputation for good business judgment and sagacity second to none.