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FIRE DESTROYES FARM HOUSE OF JACOB HEINRICH THIS MORNING

House Was Valued at \$1,200 and Insured for \$400—Tenant Loses Household Goods

At 5:45 this morning fire destroyed a farm house south of the city which belonged to Jacob Heinrich. The building was occupied by Charles Petersen as a tenant and he lost all his household goods except one rocking chair which he saved. Petersen had just gotten up from bed and built a fire in the stove, going from the house to the barn after lighting the fire. After doing a few chores about the barn he returned to the house discovered the roof to be on fire. He procured a ladder and attempted to put the fire out, but it had gotten too much headway and within a very short time the building and contents were reduced to ashes.

The building was a frame structure 16x46 feet in size and had recently been overhauled by Mr. Heinrich, being newly papered and painted and plastered. The presumption is that after the fire was built in the stove the damper was left down and the draught carried the sparks up the chimney and onto the roof which was very dry and which quickly ignited. Mr. Heinrich states that he had the chimney replastered and repaired not a great while ago by Charles Truman and he is satisfied it was not on account of a defective flue that the fire originated. The building was valued at about \$1,200

and Mr. Heinrich carried insurance to the amount of \$400. Petersen lost all his household goods valued at several hundred dollars on which he had no insurance whatever.

Petersen has been having very hard luck for several years past. He was formerly employed in the bridge gang of the Burlington but several years ago he quit the company employ and started farming. Last year he farmed near La Platte and the high water of early spring drove him out, causing him to lose all his crop. This year the protracted drouth resulted in a large part of his crop being lost and now comes the fire with the heavy attendant loss. He is well known in this city where he bears the reputation of being a thrifty and steady citizen. His many friends in this community sympathize with him in his loss and hope that the ill fortune which has followed him so long will change for the better.

Mr. Heinrich will probably rebuild at once as a house is necessary for the conduct of his farm. The fire was seen by a threshing crew working in that vicinity and the tooting of the engine whistle was heard by many in this city. No one was able, however, to get to the scene of the disaster in time to render Mr. Petersen any aid in fighting the flames.

ANSWERS THE LAST ROLL CALL

Thomas Bryan, a Veteran of the Civil War Passes Away at St. Joseph's Hospital

Death early this morning came to Thomas Bryan, the aged soldier who was removed to St. Joseph's hospital in Omaha about a week ago. His illness, which had extended over a long period of time and which had been pronounced incurable by the attending physicians, was seen last evening to be drawing to a close and his relatives were notified.

Deceased had lived in this city and vicinity for many years and was a well known character in this locality. He was a veteran of the civil war, having served throughout that great struggle with distinction as a brave soldier and having been rewarded for his fidelity to the cause by a pension from the government. During his later years he had lived alone in this city, his children, who were all girls, having been married and moving away long since.

He is survived by four children, of whom Mrs. Lydia McKinney, Mrs. Mina McKinney and Mrs. Cora Brice live at Burlington, Ia., and Mrs. Retta Miller, resides at Pilger, Neb.

The funeral takes place tomorrow (Sunday) afternoon at 2 o'clock from the undertaking rooms of M. Hild, interment being had at Horning cemetery, south of the city.

In his life time Mr. Bryan was an excellent citizen and an upright and worthy man. In their loss his daughters have the sympathy of the entire public.

Arrangements for the funeral of the late Thomas Bryan were completed by local old soldiers, who had known their comrade for so many years. The services will be conducted by Canon H. B. Burgess of the Episcopal church, and the pallbearers will be Messrs. Thrasher, Renner, Smith, McKinney, Hickson and Tartsch, all old soldiers. The services will be conducted from the undertaking rooms of M. Hild, on South Sixth street.

The Burlington freight shop force was temporarily reduced yesterday for a period of ten days by the transfer of eleven men from the local shop to Edgemont, S. D., where some necessary repairs are to be made at once. Among those who were sent out to that place were Gus and Fred Reznor, Frank Schuldic, John Grebe, Otto Finder, Anton Hraskey and Ed. Svoboda.

QUESTION OF WHO HAS JURISDICTION

Motion to Have Blish Damage Suit Sent to State Courts

The \$25,000 law suit of Earl M. Blish against the Burlington railroad, which attracted so much attention in this vicinity several months ago, is still pending in the federal district court, where it was removed by the railroad company from the state court here. It is expected in connection with this matter that a motion of the attorney for the plaintiff, Matthew Gering, to remand the case to the state courts for trial will be decided very shortly. Mr. Gering has filed a number of affidavits with the clerk of the federal court setting forth that Blish, who has been stopping in this city since the time of his injury last July, is a resident of the state of Pennsylvania, and not of this state, and his suit was filed in the state courts here because of that fact.

The question of jurisdiction is one which the several courts are very jealous of, and they are extremely cautious in taking jurisdiction unless the law is complied with to the letter. If it should be shown conclusively to the federal court that Blish was a resident of Pennsylvania, it is more than probable his case will be remanded to the state court for trial, as that tribunal will have jurisdiction over the matter. On the other hand, if his residence is technically in Nebraska, then the federal court would assume jurisdiction. Both Attorney Byron Clark of this city, who represents the railroad company, and Mr. Gering, who is the attorney for Blish, have devoted a great deal of attention to this case, and have given it careful study. The new statute which Judge Jesse L. Root, formerly of this city, was so instrumental in passing while he was a member of the state senate, which passes upon the fellow servant question, is brought into question, and its constitutionality is a matter which is raised. It has been asserted that the statute had been sustained by the United States court of appeals, but this is denied by counsel for the railroad, and they intend to present the constitutional question involved in the Blish case.

In the showing which Mr. Gering has made and which the federal court has under consideration, a number of affidavits of an interesting nature have been filed. The motion sets forth also several things which are of interest to the general public, including the statement that shortly after filing the case in the district court here, a notice was served on the railroad that the deposition of certain witnesses for the plaintiff would be taken within a few days. Before he could get around to taking them he found that the case had been removed to the federal court by the railroad company, and he assigns as a reason for this action the fact that he wanted to take the depositions in question.

The appearance which was entered for Blish was in the nature of a special appearance, so as to not waive any of the rights which he might have in the case, and it asserts that the residence of Blish is in Sayre, Pa. To support this allegation a number of affidavits from that town are on file which assert that Blish has lived there all his life, and that his mother is now a resident of that city. In addition, it is asserted, he has been unflinching in remitting the funds necessary to pay her personal and other taxes and dues, and that he has never at any time voted elsewhere.

One of the affidavits which discloses the motives which prompted Blish in so studiously keeping up his connection with the old home, and one which lends a romantic air to his life, is that of Ellen Burns, a young woman of Sayre. Miss Burns discloses in her affidavit the story of a heart's love and of personal sacrifice which Blish was making that he might wed her. When he left the town nestling in the hills of Pennsylvania, last spring, Miss Burns asserts that he did so in order to procure a stake with which to set up house-keeping.

He was to go out into the golden west—that romantic land of opportunity—and there enter into work and live and save until he should

come back in the rich, ripe autumn time and plight his troth to her. Never did the fond lovers imagine that he would stay away longer than the month of harvest—the fruitful season of the year. When he had taken up his residence in this section they had exchanged letters, and each one had breathed the fervent hope that they would soon be united. All this Miss Burns sets forth in her affidavit. She declares Blish never did intend to live in this state. This is the substance of her affidavit, which she hopes will let the man of her heart free to have his case heard in the state courts.

In addition there appears the affidavit of the tax collector at Sayre, who sets forth that Blish was pretty punctual in paying his taxes and also the amount he had paid.

Blish himself corroborates Miss Burns, and asserts that she has all his affections carefully locked up and stored away in her Pennsylvania heart, and that all he ever sought to do was to earn an honest livelihood in this city and state. He came to Fort Omaha last March as an employe of the government, and that later he entered the services of the Burlington at Gibson, being sent to this city as a fireman in July. He had not been at work but a few days when he lost his foot in a collision in the yards here—a circumstance with which the Plattsmouth public is quite familiar. He never did feel that this was to be his home permanently and always maintained that he was a resident of Sayre.

Since the time of his injury Blish has been living at the Hotel Perkins in this city, and during the recent absence of Charles F. Guthman, one of the proprietors of the place, he exercised quite a bit of general supervision over the house, acting largely in Mr. Guthman's place. According to many, Blish is quite a ladies man and has been the recipient of many delicate attentions accorded by them to a stranger in a strange land. So far as can be learned, however, none of the fair ladies of this city have been able to take the place of the fair Ellen back in the east, or at least none have yet filed affidavits setting forth any promises from him to locate here.

The case has excited a great deal of interest here and the outcome of it is awaited with considerable curiosity. Blish is personally a pleasant, affable man, and has made many friends during the time he has been here. His case with the railroad company, however, is largely a question of law and may result one way or another. Sympathy for the loss of his foot in the community is quite large, as is a natural consequence of a young man losing any of his members.

Odell and His Certificate.

It is not the Journal's intention to do any candidate any harm by a misstatement, and we therefore give the following facts in the Odell certificate case: Mr. Odell, previous to last September, held a second grade certificate, issued from the Peru State normal. In that month Mr. Odell went to Nebraska City and was examined by Prof. King, superintendent of schools for Otoe county, for a first-class certificate. After going out of the county to be examined, he brought the grades to Miss Foster and she filed them in her office. This examination by Prof. King occurred since he became a candidate for county superintendent.

Married at the Court House.

Judge M. Archer this morning was called to the county judge's office to unite in marriage Charles C. Ladd, aged 26 of Bellevue and Miss Mabel Huntley, aged 19 of La Platte. The young folks came over this morning from La Platte on No. 4 and intended to have the ceremony performed by Judge Beeson but he was out of the city and Judge Archer, his opponent for county judge was called on. Mr. and Mrs. Ladd are two very popular young people of eastern Sarpy county with many friends who will be delighted to hear of their marriage and who will unite in wishing them a long and happy wedded life. Mrs. Ladd has been a frequent visitor in this city and has quite a number of friends living here.

Mrs. Nelson Jones this morning had a letter from her husband, at the hospital in Omaha stating that he was feeling fine and getting along nicely. He is gratified at the words of encouragement which he receives from the attending physicians and hopes to be home and at work within a very few days.

NEW BRIDGE TO BE BUILT SOON

Other Towns and Cities are Enthusiastic Over the Prospects

Plattsmouth is to have a brand new wagon bridge between this city and LaPlatte and Sarpy county. This is now positively assured. It is to be a wagon and automobile bridge, and will afford a splendid highway from this city and the South Platte country to Omaha and the north.

Two plans are now under consideration by the promoters of the project. One comprises the purchase of the present Missouri Pacific bridge at Orepolls from that company and its conversion into a wagon bridge by planking it over. Such a scheme could be carried out with small expense, and it would give a bridge capable of sustaining the heaviest loads. The maturity of these plans depends upon the action of the Missouri Pacific officials in determining the location of their new bridge. Should they decide to use their present roadway and bridge site this will end all chance of the use of their present structure for a wagon bridge. The general superintendent of the company is at present in communication with T. H. Pollock, who is one of the chief promoters of the bridge project, and within a few days it is expected a definite arrangement can be made.

Mr. Pollock is prepared if the projected use of the M. P. bridge falls through to put through a new bridge. He is in receipt of plans for the structure and they can be seen at his office in the Plattsmouth Telephone company's building. The plans indicate a fine structure. It is to have two truss spans each 128 feet in length, the trusses resting on concrete piers which are to be built on pile foundations. This assures a strong structure and one capable of carrying great weight over the current of the stream. The approach from this side is to be over a panel next to the south bank with a pile trestle. On the north there will be five panels of pile bents consisting of three piles strongly braced. These panels are forty feet in length.

The roadway on the bridge proper is to be ten feet in width and the turnouts are to be sixteen feet wide. This will afford all desirable space for wagons and autos and insures a bridge of ample capacity for the expected heavy travel. The total length of the bridge is to be 1,768 feet.

Mr. Pollock, who has been so active in promoting the bridge, states that there have been sufficient funds pledged to insure the erection of the bridge. Much of the money which will go toward building the bridge will be from Nebraska City, a number of the business men of that place being eager to enter into the matter. There is every prospect that the bridge, which will be a toll one, will more than pay for itself in a very short time. There is an immense amount of travel from the South Platte country into Omaha and at present this travel has to go either by Louisville or Fremont. The new bridge will change this by giving travelers from Lincoln and other South Platte points a splendid level road. From Lincoln the O street road, which runs straight east from that city to Union, is a smooth, level stretch admirably adapted to the use of wagons and autos. From Union to the Platte river into Omaha the high hills of the north bank are avoided and the road lies through a level country of superb roads. Great speed can be made over these roads and the elimination of the heavy grades will cut time remarkably.

The roads from Union south to Nebraska City and the southeast corner of the state are also excellent, and a big travel is assured over the bridge from that section. Ralph Duff, the Nebraska City automobile man, is an enthusiast over the project, and is said to be heavily interested. From all the above it can be seen that real action is in the air and another big enterprise is fairly on the way to launching.

Misses Mattie Larson and Carrie Baird departed this morning for Seward, where they will act as delegates at the state meeting of the Society of Christian Endeavor, which meets in that city tomorrow, Saturday and Sunday.

Valuable Hogs.

Ed. P. Tritsch and P. H. Melsinger of this county were two of the purchasers at the big Duroc Jersey hog sale, held yesterday at Sutton, Neb., by Gilbert Van Patten & Sons, prominent hog raisers of that place. They secured two exceptionally fine animals in fierce competition with breeders from all sections of the country. Mr. Tritsch bid \$47.50 for an animal and Mr. Melsinger bid \$36 for another, both fancy prices, but the animals are well worth it. They will make a valuable addition to the high grade animals now being raised in this county.

ANXIOUS TO GET DOWN TO WORK

The M. E. Smith Company Will Be Ready for Business Just as Soon as the Building is Completed.

Secretary Wescott of the Commercial club today held a long talk over the phone with Messrs. Smith and Burgess of the M. E. Smith company at Omaha, and told them of the progress which is being made here in getting ready for their enterprising firm to open their new factory here. He was gratified to have them tell him of their intense anxiety to have the building quickly changed and altered so they might open up. They stated that if they could they would open on Monday next and would employ all the girls and women he could secure for them. At first they figured on opening with some fifty employes; now they will open with three times that number if they can be obtained. Mr. Wescott has a large list waiting them, but it is not nearly closed. He wants every one who can to enroll and promises them good, profitable employment. The Smith people are surfeited with orders and want to get the new factory in running order quickly. Their machines are now on the way and will be installed as quickly as Mr. Jackson gives them the room. There has been considerable delay on this account, as it is Mr. Jackson's busy season and he has not been able to get out as soon as he expected. The Commercial club is highly pleased at his aid to them in the matter, however, and appreciate his activity and work in trying to get moved. He has been untiring in working and cleaning up and moving, but even with all this, it will be several days before he can release the building. He is certainly a man of much public spirit and enterprise, and deserves the commendation of the public for his efforts to help build up the city. He is one of the right kind of men for a town, energetic and public spirited, and always ready to do his share for the public weal.

It is likely the new factory will be in operation before many weeks have past, and that there will be a handsome addition to the city pay rolls before many days have passed. Improvements at the Burlington shops, a new wagon bridge over the Platte and the Smith factory make a good trio of starters for 1910.

Two More Lucky Ones.

Two more Cass county men have drawn farms in the Standing Rock and Cheyenne Indian reservations in Dakota, their names coming out yesterday in the drawing at Aberdeen, S. D. They are Carter Albin of Union, who drew No. 8014 and A. J. Klepser of Weeping Water, who secured No. 9200. As there are only 10,000 farms altogether, they were near the end. However, they will probably land much farther up the line, as they will get the benefit of others dropping out and failing to take their claims, which will amount to a great deal and will put them much farther toward the top of the list. It is said that most of the farms in this agency are well worth having and doubtless both Messrs. Albin and Klepser will secure pieces of property worth their taking. The drawing is now over and four places went to the county, Messrs. LaRue of Union and Rosnow of Murdock securing the other two places well up toward the top.

A party of four from Nebraska City were visitors in the city over night, stopping at the Hotel Perkins. They included Misses Pearl and Nellie Loveless and Messrs. A. J. and J. C. Loveless.