

# The Plattsmouth Journal.

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NO 85

## AN INTERESTING DIVORCE CASE IN THE DISTRICT COURT

The Trial Comes to an Abrupt Termination Owing to the Discovery That New Matter is Claimed to Have Been Injected.

In district court this morning Judge Travis took up the hearing in the case of Jacob Rayles vs. Adelia Rayles, a divorce action. The parties in the case are represented by Matthew Gering who appears for the plaintiff and Messrs. H. M. Sullivan of Broken Bow and Byron Clark of this city appears for the defendant. There does not seem to be serious objection to a divorce by either party but there is a big fight over a division of property and alimony. Owing to an antenuptial agreement between the parties, the alimony question is quite complicated and affords food for a long and vigorous fight.

The trial of the Rayles case came to an abrupt termination this morning owing to the discovery that new matters is claimed to have been injected into the pleadings by the reply of the plaintiff, Jacob Rayles, filed by Messrs. Gering and Mock-

ette of Lincoln his attorneys. This new matter related to the antenuptial agreement spoken of above and it is a matter which Messrs. Sullivan and Clark, counsel for the defendant contended should have been made a part of the petition. On the ground that it was new matter and that the defendant would have to have time in which to examine into it and determine their line of defense, the defendant would file affidavits for a continuance of the case. This ended the case so far as the trial today was concerned. The parties to the case are well-to-do and own quite a good deal of property situated in this county and Custer county.

This afternoon Judge Travis overruled the motion of the defendant for a continuance and the case proceeded to trial as originally outlined this morning. Taking of evidence was commenced and the case will probably run over into tomorrow.

## STONE QUARRY LABORER INJURED

Precipitated Over a Twenty-five Foot Embankment.

William Telleson, an employe of the National Stone company at their quarries near Louisville, was badly injured yesterday in an accident at that point. Telleson was engaged in moving the railroad track in the quarries and was working on top of an embankment some twenty-five feet high. He was pulling ties from under the rail, using his pick for that purpose. Striking the pick into the ties he would draw them out to one side of the track. He struck his pick into a tie and started to pull it out when the pick failed to hold and the unfortunate man was precipitated over the bank.

He was picked up at the foot of the bank in an unconscious condition and medical aid summoned. An examination disclosed that he had broken his right leg in two places and in addition his right arm and nose were broken. He was taken from the quarries to Omaha, where he was placed in a hospital for treatment. He had only been employed in the quarry a few days and was not known in the vicinity.

## Burlington Pay Day.

Today is pay day for the Burlington employes and things will liven up a bit as the company leaves a good roll of money in the city this month. Business at the shops has been very good for several months past and the company is employing a great many men at good pay which is resulting in prosperity for the entire community. The pay roll this month is one of the heaviest in recent years and is up to the high mark of the most prosperous year. Many of the shops are away behind on orders and are working full time with every prospect that overtime will soon be ordered on to get the work out. Business on the road continues to be unusually good and a great deal of merchandise and gran is moving both ways. Passenger traffic has fallen off during the past few days, a preliminary lull before the holiday business and caused by the approach of winter and cold weather. The general outlook for railroads in the country is excellent and there is every indication that the coming year will be a record breaker in point of earnings. The Burlington will get all of its share and this means increased work in the local shops and big pay rolls for this city.

## A Large Funeral.

The funeral of the late Dr. E. T. Rickard, who was so well known in this city, was held last Wednesday at Weeping Water from the Methodist church. The funeral was the largest ever held in that city where the deceased was well known and exceedingly popular.

The church edifice could not hold near all those who were anxious to pay the departed a last tribute and the cortege to the grave was one of the longest ever seen in the county. As a further mark of respect to the deceased, all business houses in the city closed their doors during the time of the services. There was a very large attendance of fellow practitioners from many points in the state, members of his profession acting as pall bearers. The funeral oration was pronounced by Rev. J. C. Street, while Rev. H. W. Cope and Rev. G. H. Moulton, former pastors of the church also delivered short sermons.

## Again Laid Up.

Nelson Jones, mention of whose visit to an Omaha hospital was made in the Journal several weeks ago, is reported today as being seriously ill. His place upon the night police force was taken last evening by ex-Chief Rainey. Mr. Jones was operated upon some days since for an enlarged gland under the arm and returned to the city apparently as well as could be expected but within the past several days alarming symptoms have appeared and he has been compelled to take to his bed. It is to be hoped his condition is not so serious as reported and that he will be able to be out within a few days. The trouble seems to have developed in his lungs and so far has not yielded to treatment.

## Miss Newell Captures Prize.

The usual big crowd was present at the weekly unveiling of Westcott's clock last Wednesday and there was much amusement had over the contest to see who held the number nearest the winning time. The clock was unveiled and displayed the figures on the dial as 11:22:30. Immediately there was a wild hubbub among the assembled multitude to see who was next to the winning time. The search among the 11's resulted in the nearest being some thirty minutes or more off and then came the search among the 10's. At last all was over and Miss Bernice Newell was found to be the winner, holding a check with the time 10:54:59 on it. The weekly unveiling takes place next Wednesday, November 17, at 3 o'clock prompt. These unveilings will continue until Dec. 15, and they are proving an unfailing source of amusement as well as interest and have been found by the Messrs. Westcott as a valuable advertising asset.

## Close Call.

Night Officer Rainey who took Nelson Jones place, last night came near being the victim of a massacre at the hands of two war-like youths from the Iowa bottoms. These youths had imbibed freely of the cup that doth cheer and likewise inebriate and Officer Rainey admonished them to cut it out or he would throw them into durand vils. They immediately waxed wroth and wanted him to adjourn to the Burlington station, where they promised to make him look like the proverbial dirty deuce. In this they failed most miserably for the officer agreed to go and did go and he took them with him. One of them sought to carve him up a lot, but he frustrated the attempt and restrained himself from beating the young man up by a great effort. He saw that that the malcontentenets "beat it" to Bartlett on the first train.

## The Chicken Pie Supper.

The parlors of the Presbyterian church were the scene of a merry throng last evening, the occasion being the first chicken pie supper of the season given by the Ladies Auxiliary. The affair was very largely attended and the ladies netted the sum of \$50.00, which is the largest amount ever realized by the ladies.

## There were six long tables, each prettily decorated with crysanthemums, autumn leaves and candelabra.

The chicken pie, salads, bread, jellies, coffee and cake were up to the standard and were demonstrations of the fact that the ladies are well versed in the culinary art.

Following the supper a number remained for a social time.

The ladies wish to thank the people of this city for the liberal patronage they received last evening.

## Abroad in the Land.

The festive sportsman was abroad this morning on the river and at daylight a number of guns could be heard cracking away at ducks and geese which are reported as quite plentiful. The cold snap and the clearing weather has brought the fowl from the north and many hunting parties are scouring the streams and ponds adjacent to the city with profitable results. There seemed to be a number of sportsmen up near the mouth of the Platte as reports of guns in that vicinity were frequent during the early morning and several flocks of ducks were observed rising from the waters of that vicinity. There are said to be a lot of ducks in the lakes and ponds on the Iowa side but few here hold licenses to hunt there.

## Injured Near Louisville.

Henry Sass, a prominent young farmer living near Louisville, is in a very critical condition at home, owing to injuries received by falling under a wagon loaded with corn. Sass who had been corn husking was standing by his wagon and he seized the lines and endeavored to stop them. They jerked him under the wagon and it passed over his left side, inflicting injuries which the attending physician says may result in death. Mr. Sass is well known throughout his section of the country as one of its best young men and it is hoped he may recover from his injuries despite the unfavorable diagnosis of the doctor.

## PROTEST AGAINST DATES SET FOR NATIONAL CORN SHOW

Norfolk Commercial Club Believes That Omaha Retail Dealers are Taking Advantage of the Show to Boost Holiday Trade

The Journal is in receipt of the following resolutions adopted by the Norfolk Commercial club protesting against Omaha holding the National Corn show at the date set by the association, and it takes pleasure in cordially endorsing and reprinting them. Omaha depends upon the people and the small towns of Nebraska for its support and its action holding the corn show at the time set, is a direct blow to them and their interests. It is in line for the commercial club of every small city and town in this vicinity to adopt similar resolutions and to take steps to stand up for the rights of their business men and people. The resolutions are as follows:

Norfolk, Neb., Nov. 9, 1909.

The Norfolk Commercial club, by action of its board of directors, this 9th day of November, protests against Omaha holding the National Corn show at the date set by the association and unanimously adopt the following resolutions:

Resolved that the influence of the retail and department store owners has been sufficient to cause the mangement of the corn show to set the date of holding this meeting at such a time as to be detrimental to the best interests of the retail merchants and business men of smaller towns throughout the state and in direct opposition to the action taken by the State Commercial clubs held in Norfolk in January, 1909, when a request was made to set the date of the corn show so as not to draw the visitors to Omaha just prior to the holiday trade.

And we further protest for the reason that we believe it a selfish motive on the part of the Omaha retailers, to induce the interior holiday buyers into Omaha to make their purchases, just at the time when the trade is needed throughout the state. By reason of losing the holiday trade the country dealers in Nebraska are placed at the

mercy of the Omaha stores and will suffer materially by virtue of losing trade which is always looked forward to at this particular time. We appeal to the manufacturers, wholesalers and jobbers of Omaha, asking them to use their influence in changing the date of the two weeks' corn show to sometime after the holidays and we believe that we are justified in making the request, for the reason that a vast amount of the stocks of the country merchants are purchased in Omaha, and we see no reason why the dates of the show should be set for the purpose of direct benefit to the few and at the cost and detriment of the many.

Be it further resolved, that we are thoroughly in sympathy with the holding of a National Corn show in Omaha and we are always anxious to help in every way possible, not only in this movement but any other that is of interest to the state or Omaha.

We appreciate fully the good that will be derived by the holding of a National Corn show within our borders and we are fully aware of the vast benefit it will be to the state, not only from an agricultural standpoint but in general and we will do all in our power to boost and advertise the enterprise and will lose no effort to make this corn exposition a success in every way, providing the dates are set at such a time as not to interfere with the best interests of the state at large.

We do not object to Omaha merchants using every legitimate means of stimulating their trade, but we do strenuously protest against their using a national corn exposition for the express benefit of Omaha retail merchants, particularly inasmuch as the entire people of the state of Nebraska are asked by Omaha to contribute toward the success of this event.

THE NORFOLK COMMERCIAL CLUB. J. D. STURGEON.

## GOES TO THE REFORM SCHOOL

Leona Edgerton Thinks That is the Best Place for Her.

In county court today Judge Beeson held a hearing on the matter of the probate of the will of Lovina Hunter, deceased. The will was proved and allowed and Isaac N. Hunter appointed as executor under its provisions.

He also held a hearing on a complaint against Leona Edgerton charged by her guardian, O. C. Dovey with incorrigibility. Miss Edgerton is the young girl who was recently taken from the care and guardianship of her grandmother by order of the court, on her own motion and placed under the guardianship of Mr. Dovey. In that hearing the court found her surroundings to be such that it would be best to change her guardian and so ordered. She had just turned fourteen years of age when this order was made. The young girl is heir to considerable property left her by her father, the late William Edgerton. Since being placed under Mr. Dovey as guardian it is charged he has been unable to exercise care over her as she has refused to obey his orders and has persisted in roaming the streets and in other ways disregarding her instructions and refusing to live at the home selected for her. This action is brought under the law by County Attorney Ramsey upon Mr. Dovey's complaint to have her sent to the state industrial school at Geneva and the hearing was had before Judge Beeson this morning.

The hearing developed that the girl was anxious to be committed to the industrial home and Judge Beeson by questioning her found that she thought it would be best for her to go there and attend school. As this was the object of Mr. Dovey's complaint, Judge Beeson decided to commit her to the school and entered an order to that effect. The girl will go to the school tomorrow morning.

This case is a pathetic one in a number of ways. The girl is a bright and intelligent one and seems to be well disposed except that she has many faults which training should remove. She has been made the subject of considerable litigation and this seems to have resulted unfavorably to her general behavior. It is to be hoped that she receives much benefit by the transfer to the school and that she returns in a short time a model young lady.

## Oyster Supper.

There will be an oyster supper given at the Rock Bluffs school house, (Dist. 5) on Saturday evening, November 27, for the benefit of the school.

The best is the cheapest. "Acorns" are the best.

## Surprise Miss Fricke.

The members of the Bridge Whist club and friends invaded the home of Mr. and Mrs. F. G. Fricke last evening and most agreeably surprised their daughter, Miss Lena who is a member of the club and whose marriage to Mr. R. A. Harris of Omaha occurs November 25.

The principal amusement was derived from bridge whist, which was entered into with much interest and enthusiasm.

Following the card games a delicious luncheon was served, after which the club members presented Miss Fricke with a beautiful card table and cards bearing the initial "H."

After an hour or so spent in a social way, the invaders withdrew their forces, having spent a very pleasant evening.

Those present were Misses Verna Cole, Claire and Hazel Dovey, Lillian and Mae Murphy, Anna Hassler, Florence, Ione and Helen Dovey, Frances Hatch, Dora Fricke, Amelia and Henrietta Martens, Martha Goehrly, Minnie Guthman and Mrs. C. G. Fricke.

## Delegates to Navigation Congress.

A special from Lincoln, under date of November 11, says:

Governor Shallenberger has named the following delegates to attend the third annual meeting of the Missouri River Navigation congress to be held in Omaha December 14 to 16:

- Hon. G. M. Hitchcock, Omaha.
Henry T. Clarke, Omaha.
D. J. O'Brien, Omaha.
Ed. P. Berryman, Omaha.
Joseph Haden, Omaha.
Emil Brandies, Omaha.
Arthur C. Smith, Omaha.
Colonel M. A. Bates, Plattsmouth.
Captain Logan Euyert, Nebraska City.

- Hon. J. P. Latta, Tekamah.
Joseph Miles, Falls City.
Clark O'Hanion, Blair.
Dr. Stewart Livingston, Plattsmouth.

- George W. Ledigh, Nebraska City.
J. M. Tanner, South Omaha.
W. S. Whitten, Lincoln.
C. B. Dempster, Beatrice.
Charles H. May, Fremont.
George L. Loomis, Fremont.

## Pushing the Work.

The Nebraska Lighting company is pushing the work of erecting poles for the electric lights over the city forward with all possible speed and soon will commence stringing the wires. It will be a very short time until the city is in possession of plenty of light for all needed purposes. The poles are large, solid, substantial ones, the end which goes into the ground being treated to a coating of tar for preservative purposes. There will be a great many of them required for the work which will take some days to complete.

Mrs. A. W. Dawson is among those spending today in Omaha, having gone to that city this morning on the early train.

## ANOTHER OLD RESIDENT GONE

After an illness of Several Months Nathan B. Schultz Died Last Evening

Died—Schulze. Nathan Bevier, at his home in Plattsmouth, Nebraska, on Friday, November 12, 1909, aged 74 years, 7 months and 11 days, of complication of diseases. Funeral from the home in Plattsmouth, Nebraska, on Sunday, November 14, 1909, at 2 o'clock p. m. Cannon Burgess officiating. Interment at Oak Hill cemetery. After a long life full of good deeds and with the greatest respect and esteem of many old neighbors and friends, Nathan Bevier Schulze passed to his last reward yesterday afternoon. His death came peacefully as the passing of the day. In the gloom of early evening when the elements outside were tempestuous and tossed by stormy winds, the soul of this good man left his body and passed into the Great Beyond calmly and quietly as befitting his life. A long illness which could have but a fatal termination, had prepared the children and the wife of the deceased for the approach of death and they were not surprised when the end came. In his lifetime Nathan B. Schulze was a loving and kind husband and father and a noble and generous friend. For months he had lain upon a sick bed racked with the pains of a complication of diseases and during all that time the christian fortitude which he has displayed had brought home to his many friends the good which upright living gives. The sorrowing family have the consolation of knowing that there is universal grief among all who had known Mr. Schultz in his lifetime and that they have the most sympathy in their bereavement.

Nathan Bevier Schulze was born on March 31, 1835 in the state of New York, and here for many years he made his home, spending his boyhood and early manhood in that state. Later he moved to the state of Iowa, locating in the town of Chariton in 1873, and here he lived until 1893—a period of twenty years, when he came to this city where he has since made his home. He was married during his early manhood in Toulon, Ill., to Miss Eliza Culbertson, and of this union four children are now living and were present last evening when their father passed away. They are Mrs. T. J. Hennessey of Missouri Valley, Ia., C. W. Schulze of York, Neb., A. A. Schulze of Omaha, Neb., and N. P. Schulze of this city.

## Fine Showing of Missouri Pacific.

It is understood that the Missouri Pacific in September earned at the rate of 10 per cent on the stock. The net results were the best in the company's history for that month. The car movements one day in September exceeded anything that the company has ever had. The cash balance of the Missouri Pacific, just now, it is claimed, is sufficient to take care of current needs in spite of improvements of considerable size, so that the demand for the new issue of bonds is not an urgent one.—State Journal.

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The funeral of this most estimable man will take place tomorrow (Sunday) afternoon from the home in the second ward, at 2 o'clock. Cannon H. B. Burgess conducting the services. Interment will take place at Oak Hill cemetery.

## Will Trade—

One of the best ranches in central Nebraska, 2000 acres, highly improved, cut 1000 tons of hay, fenced and cross-fenced, well watered, has over 400 acres good corn land, 12 miles from station \$22,000. Want a Cass county farm. 480 acres, in cultivation 150, fenced, has house and barn, 12 miles from depot. A snap for cash at \$12.50 per acre. R. B. WINDHAM, Plattsmouth, Neb. Paton's paint at Gering's.

Conklin pens at Gering's.