

GOVERNOR'S TRIAL BEGINS

Three Phases to Be Brought Out in Libel Case.

HARD JOB TO SELECT A JURY.

Is Letter of Carroll Relative to Cowine a Privileged Communication, Is Paramount Question—If Court So Decides Case Will Be Dismissed, It Is Said by Knowing Ones.

Des Moines, Dec. 19.—There are just three phases to be brought out in the case of Governor Carroll, indicted on the charge of criminally libeling John Cowine, according to those who have closely followed the case. The governor was placed on trial this morning in the Polk county district court before Judge James A. Howe.

The three paramount questions in the case, it is said by persons who have followed it closely, are:

Was the letter of Governor Carroll relative to John Cowine a privileged communication, or did he in his official capacity have the authority to write such a letter?

Or was it written and sent out under a qualified privilege?

Or was it not privileged under any legal construction?

It is anticipated that as soon as the jury has been secured in the case—which it is estimated will take two days at least—attorneys for Governor Carroll will move for a directed verdict on the ground that the letter upon which the governor was indicted was strictly privileged. It is rumored, also, that the defense will contest every step and will make the state prove that Carroll either wrote or authorized the letter in question.

If the court rules that the letter is privileged, then a directed verdict will follow and the trial will be over.

If, however, it is ruled that the letter was sent under a qualified privilege, then the bars are let down for the introduction of a great mass of evidence on both sides, to prove or disprove claims of malice on the part of the chief executive.

And if the court holds that the letter is in no sense or under any construction a privileged communication, then it is said, it is necessary for the state but to prove that Governor Carroll wrote or authorized the letter and that it was published and generally circulated.

In defense the governor will offer, in that case, such evidence as he has in defense of circulation of the letter and the statements made by him therein.

SOME HUGE EARS OF CORN

H. D. Case Turns Slough Into a Corn Field and Profits by Change.

Madrid, Ia., Sept. 19.—That the drainage plan pays is being shown this year by the fact that H. D. Chase, a farmer living three miles from Madrid, has thirty acres of the finest corn in Iowa, grown where last year there was a marsh. Some of the ears of corn picked at random in the field this week were twelve and fourteen inches in length and perfectly grained. On one ear, twelve and a half inches in length, there were eighteen rows of corn, with an average of fifty kernels to the row.

One year ago last summer Chase began to tile the thirty acres of marsh which he owned. In the fall he plowed the land, working it over again this spring and planting it in corn. Notwithstanding the fact that the weather this spring was extremely bad, the field has done wonderfully well and will produce per acre one of the greatest yields in the state.

L. B. Allen Promoted.

Burlington, Ia., Sept. 19.—A number of important changes in officials of the Burlington system were announced here. Among them are the appointment of L. B. Allen, present superintendent of the Iowa lines here, to the position of superintendent of lines west of the Missouri river, taking the position now held by W. B. Throop. Throop is appointed general manager of the Omaha, Missouri and Kansas City lines.

Iowan Dies From Peculiar Cause.

Manchester, Ia., Sept. 19.—Ben Carlson died under peculiar circumstances at Henry Peterson's home. An autopsy at the inquest revealed that the lungs had been clogged with particles of eggs inhaled at supper while Carlson was laughing at some joke. The jury returned a verdict of accidental asphyxiation.

Iowa Aviator Falls.

Iowa City, Ia., Sept. 19.—Eugene Ely, aeronaut for Glenn Curtiss, who fell last week in an ascension at Rock Island, is a resident of Iowa City. His second ascension was successful, his machine rising 2,100 feet in the air. Mr. Ely is a grandson of Commander E. H. Ely of this place.

Shearer Held for Murder.

Mason City, Ia., Sept. 19.—Justice Rankin held J. A. Shearer, alleged murderer of Henry Luckus, a baker here, June 16 last, to the grand jury without bail. The decision was made on the confession of Harry Parsons, who said he was with the defendant when the act was committed.

FIND CLOTHES ON RIVER BANK

Nebraska City Dentist Supposed to Have Ended Life in Missouri.

Nebraska City, Neb., Sept. 19.—A pile of clothes and naked foot prints leading to the Missouri's bank are the last traces of Dr. H. S. Ganson, who is feared to have committed suicide. Dr. Ganson, one of the city's most prominent men, left his home at 2:30 a. m., mounted his bicycle, rode away toward the river and has not been seen since. The clothes were found neatly folded by the bank and the print of bare feet led down to the water.

Dr. Ganson's household knew of his departure, but thought little of it because he had been troubled with insomnia and it was supposed that, unable to sleep, he was merely taking a ride. When he did not return during the day search was instituted.

Dr. Ganson, who was a dentist by profession, belonged to the Ancient Order of United Workmen, the Knights and Ladies of Security and the Modern Woodmen. These societies have offered \$150 for the recovery of the body and the river is being dragged. Dr. Ganson was married and there are four children.

NEW PLAN FOR RHODES SCHOLARS

Avery, Davidson and Three From Church Schools to Act.

Lincoln, Sept. 19.—Chancellor Avery has received a letter from Dr. George R. Parsons, secretary of the Kansas scholarship trust, revising the personnel of the committee on awards for Nebraska. Hereafter the committee is to consist of five members. First, the chancellor of the University of Nebraska; second, a representative of the public schools appointed by the chancellor, and third, fourth and fifth, to be annually elected by the presidents of the denominational colleges of the state. It has also been decided that four votes out of five shall be required for an election. Dr. Parsons, in reconstituting the committee, had in mind the formation of a smaller and consequently more effective working organization and also wished to guard against the possibility of any candidate being selected solely by the votes of representatives of any one type of schools.

The chancellor has named Superintendent W. M. Davidson of Omaha as the representative of the public schools and will request the presidents of the denominational colleges to elect the three remaining members as soon as possible.

Gow Funeral in Lincoln.

Lincoln, Dec. 19.—The funeral of Allen T. Gow was held here this afternoon at the home of the deceased's mother, Mrs. L. A. Gow. Charles L. Gow of Omaha, who went to Kewanee for the body, declared that the supposition was correct that heart disease had carried off his brother, who died on a railroad train. Mr. Gow was forty years of age.

Big Attendance at Normal.

Peru, Neb., Sept. 19.—Registration at the Peru normal school began this morning, and for this purpose a special train was run from Nebraska City to convey students from Omaha to the normal school. From the advance orders for rooms, it is indicated that the largest attendance in the history of the school will be registered.

INCUBATOR BABIES DIE

Physician in Charge of Exhibition at Louisville Arrested.

Louisville, Sept. 19.—As a result of the death of three babies on exhibition in an incubator at the state fair here, Dr. Douglas Snyder of Pittsburg was arrested at Jeffersonville.

Twelve warrants were issued by County Attorney Bullitt at Louisville on the charge of a statutory offense and the arrest was made by Chief of Police Wall of Jeffersonville. Dr. Snyder made a statement during the day that the babies died because he was unable to give them the proper attention while making the trip from Chicago to Louisville. The deputy coroner found as a result of his investigation that the babies died of inanition.

Mrs. Douglas Snyder, wife of the physician, was arrested at the fair grounds in Louisville, charged with being an accessory.

Catholic Monk Arrested.

Lisbon, Sept. 19.—According to advices Mgr. Baldomero, superior of the Aldea Ponte friars, was arrested as he was entering the Spanish monastery. The monastery was recently closed by an imperial decree and its occupants expelled and threatened with arrest if they returned to this country.

Ballinger Indorsed in Wyoming.

Cheyenne, Wyo., Sept. 19.—One of the resolutions that met with most popular favor at the recent Republican state convention at Rawlins, Wyo., was one indorsing the administration of Richard A. Ballinger, secretary of the Interior.

Two Killed in Wreck.

Union City, Ind., Sept. 19.—Two men were killed and thirteen injured when two traction cars met in a head-on collision here.

Short Locals

From Saturday's Daily.

Miss Elizabeth Falter was an Omaha passenger on the morning train today.

O. C. Dover was a morning visitor at the metropolis where he was called on business of importance.

P. Egan and wife and daughter spent the day in Omaha, taking the early train this morning.

Mr. C. Neff and wife were Omaha passengers on the first train today where they looked after business matters.

E. C. Hill, Burlington storekeeper and wife, went to Lincoln on the morning train today to spend Sunday with friends.

G. M. Spurlock of York who was called here to attend the funeral of W. L. Pickett, returned to his home this morning.

Mrs. Agnew who is a guest of her mother, Mrs. C. H. Parmele, was a passenger to the metropolis on the morning train today.

Mrs. J. M. Robertson and daughter, Miss Jessie, went to Omaha on the morning train today and visited with friends between trains.

J. W. Lewis bought a ticket for Tekamah and boarded the train for that city this morning. Mr. Lewis goes to look after renting a farm for next year.

Mrs. William Budig, Mr. and Mrs. Charles Fischer and son, Herman, went to Omaha to spend the day viewing the sights and looking after some items of business.

Mr. Kauble returned from Lincoln yesterday where he was called to see his sister, Mrs. W. C. Holmes who is dying with a cancer. There is no chance for Mrs. Holmes' recovery, and her demise is only a question of a short time.

The Herger bakery plant received a card this morning from Mr. Herger written at Baltimore, stating that Mr. Herger is having the time of his life, has just attended the great convention of bakers, and will start to Washington and New York within a day or two.

Sheriff C. D. Quinton returned last evening from a trip to Hartington, Neb., where he had been on official business. The sheriff saw several old time Cass county citizens who are located in Cedar county, doing nicely. Among the gentlemen interviewed were: George Burrows, Alf Trumbull, Earl Pickett and others.

A. Peterson and wife and babe went to Omaha this morning for the day.

J. W. Godwin and wife and child went to Omaha today to visit friends for two days.

Mr. and Mrs. Joe McCarthy spent the day in Omaha where they went to visit with friends.

James Buranek and daughter, Miss Anna, spent the day in Omaha looking after business matters.

Andrew Matous and daughter, Miss Georgia, went to Lincoln this morning to visit friends for a few days.

Misses Alpha and Gerlie Peterson visited friends in Omaha today, going to that city on No. 15 this morning.

Mrs. C. S. Johnson and daughter, Mildred, spent the day in the metropolis, going on the early train this morning.

Mrs. J. C. Brittan and children spent the day in the metropolis, going to that city this morning on the early train.

Miss Hattie Libershal was calling on friends in Omaha between trains today, going on the first train this morning.

Mrs. Frank Wondra spent the day with friends in Omaha today, having departed for the metropolis on the early train.

Mrs. Dr. Cummins and daughters, Mildred and Emma, spent the day in the metropolis, going on the early train this morning.

Mrs. J. H. Kuhns and son, Stanley, were Omaha passengers on the early train today where they spent the day with friends.

Charles Ulrich, wife and daughters, Josephine and Sophia, went to Omaha on the morning train today where they visited friends for a time.

John Svoboda departed for Hay Springs, Nebraska, on the morning train today and will be absent four or five weeks visiting relatives.

A. Kaffenberger drove in from his farm in Eight Mile Grove precinct this morning and was shaking hands with his Plattsmouth friends today.

Mrs. J. R. Hunter and daughter, Jannet, were passengers to Omaha on the morning train today where they will visit with friends for a time.

W. I. Applegate, wife and children, and Miss Louise Gauer, of Cedar Creek, came in on No. 4 this morning and visited with H. A. Schneider and family for a time.

Mrs. Ben Elson of Los Angeles, Cal., arrived last evening and will visit friends for a time. The Elsons removed to California several years ago, and this is Mrs. Elson's first return visit.

William Sutton of near Rock

Bluffs came to Plattsmouth yesterday and boarded the early train this morning for Rosaline, Neb., where he will visit his sons, Thomas and John for an indefinite time.

Mrs. Barrows of near Murray was a Plattsmouth visitor today.

H. E. Clark made a flying trip to Omaha last evening on business.

Miss Ethel Jones went to Havelock on the afternoon train yesterday.

Mrs. Val Burkel visited friends at Omaha this afternoon between trains.

Joe Agenbraer and wife were Omaha passengers on the morning train today.

Mrs. John Toman spent the day in the metropolis looking after some business today.

Mrs. Ed. Fitzgerald spent the day in Omaha, going on the early train this morning.

Joe Sagatka and wife went to Omaha and South Omaha today to spend Sunday with friends.

John Hennings of near Louisville was a Plattsmouth visitor today looking after business matters.

Mr. and Mrs. J. E. Thompson and son, Glen, spent the day in Omaha, going on the morning train.

George B. Mann was called to Omaha on the morning train today to look after business matters.

G. P. Hell and wife went to Omaha on the afternoon train yesterday where they did some shopping.

Pete Peterson of the bridge construction crew laid off this afternoon and went to Omaha on business.

Henry Melsinger of Cedar Creek was a Plattsmouth visitor today, having come in on No. 4 this morning.

Henry Hempel, the Lincoln real estate man, arrived today to look after business matters for a short time.

Henry Lobeck who has been visiting Will Grebe for a few days, returned to his home yesterday afternoon.

Miss Anna Parkening is spending a few days at the home of Miss Eva Canady.

Charles Duke of Omaha came in from Omaha on the morning train today to look after some business matters.

Mr. and Mrs. Peter Melsinger of near Cedar Creek were in the city today doing their week end shopping.

Mrs. Fritz Heinrich of Havelock arrived today to visit over Sunday with her parents, Frank Janda and wife.

Harry Denson of Omaha arrived last night and visited a short time with his parents, J. R. Denson and wife.

William Fight returned this morning from the western part of the state where he had been looking after business.

Mrs. O. J. Hale and son returned from Hamburg, Ia., yesterday where she has visited her parents for a few days.

Miss Loretta Scotten, Clarence Staats and Miss Jone Dovey were Omaha passengers on the fast mail this afternoon.

Mrs. P. E. Ruffner came down from Omaha this morning where she has been visiting her daughter for a few days.

Frank Hawksworth of Lincoln came in today to visit his parents, Mr. D. Hawksworth and wife for a short time.

Mrs. Z. L. Biddlecome who has been the guest of the Travis home for a few days, returned to her home at Ashland today.

Mrs. M. McCool went to Omaha yesterday afternoon to take her son, Howard, to see Dr. Gifford about the little boy's eyes.

Miss Edith Martin came down from Omaha last evening to spend Sunday with her parents, Dr. J. B. Martin and wife.

Mrs. Geo. Tams left yesterday for Breder, Ill., where she will visit her son-in-law, Henry Carstens and family, for a few days.

All bills against the Base Ball association should be filed with John Hatt, Jr., Secretary, before six o'clock p. m., Monday evening.

Colonel H. C. McMaken departed last evening for Atlantic City, New Jersey, to attend the national encampment of the G. A. R.

Charles Eads and wife of South Omaha returned to their home last evening, having visited relatives in this city for a short time.

Pete Roucka and wife and child went to Omaha on the fast mail today where they visited friends for a few hours.

Mr. and Mrs. J. W. Gamble went to St. Joseph's hospital this morning to call on Mrs. Mullis who underwent an operation yesterday morning for appendicitis.

R. W. Roberts, wife and three children returned from Thurman, Ia., this afternoon where they visited friends for a few days.

Horace Elliott of the Independent phone line returned to Ashland this afternoon after having been here a few days looking after the construction department of the business.

Fall Opening



We have on display our

Pattern Hats

and the most popular shapes in

Large and Small Hats

Please call and see them.

MISS MYERS

departed for their homes this morning via Omaha.

Sim Upton of Union was in the city today looking after business matters.

Miss Evelyn Taylor spent the afternoon in the metropolis, going on the fast mail.

Crede Harris of Liberty precinct was transacting business in Plattsmouth today.

Mrs. C. A. Peterson spent a few hours in the metropolis today, going on the fast mail.

Mrs. H. J. Schultz departed for Hemingford, Neb., this afternoon, where she will visit friends for a week.

Rev. Harrell and wife of Mynard came to Plattsmouth today and then boarded the fast mail train for Omaha this afternoon.

A BARGAIN IF TAKEN SOON—Three half sections in Morrill county, Nebraska, smooth, black soil, 30ft to water adapted to general farming. Price only \$16.50. Write at once for full particulars.

Windham Investment Co., Plattsmouth, Nebraska.

IN LOVE WITH AVOCA AND ITS FINE PEOPLE

From Saturday's Daily.

O. C. Larson of Avoca is in the city today attending to business matters and visiting relatives and friends. Mr. Larson motored from Avoca to Murray last evening with Dr. B. F. Brendel, of Murray, remaining in Murray over night, and coming up to this city this morning on the early train over the Missouri Pacific. Mr. Larson is very much pleased with his school work at Avoca and speaks very highly of the people of that community.

While coming from Murray to this city on the train, he became acquainted with a young man and in the course of their conversation, learned that he was a cousin of Mrs. C. S. Johnson of this city and Mrs. J. D. McBride of South Omaha, and that he was on his way from a point in the northern part of New Mexico to this city for a visit with relatives. Mr. Larson assisted him in locating his relatives as they were not expecting him.

NOTICE—Some Plattsmouth properties to exchange for grazing land. Both business and residence. We are having inquiries for acreage near Plattsmouth. List your property with us.

Windham Investment Co., Plattsmouth, Nebraska.

Gets Car No. 1.

R. Propst went to Omaha this afternoon where he will be for a few days testing a new automobile which he has just purchased. The machine is the first one made by the new factory starting in the business at Ralston. Mr. Propst put his order in along in May and was to have the first car put out by the company. They have made five prior to the one which will receive the number 1, but the other cars have all been reduced to the scrap pile owing to some defect. The next time Mr. Propst is seen in Plattsmouth he will ride in a Nebraska made machine.

Loses His Purse.

Mr. E. Jones had the misfortune to lose his pocket-book containing between six and seven dollars while en route from Omaha to Plattsmouth yesterday. Mr. Jones does not think his pocket was picked but that the missing purse slipped out of his pocket while in the coach.

If you want help, or have anything to sell, advertise in the Journal.

JAMES J. GALLAGHER.

His Case Will Be Given to Grand Jury Sept. 20.



GALLAGHER CASE SEPT. 20

Would Be Assassin of Gaynor Undergoes Operation.

New York, Sept. 17.—James J. Gallagher, the would be assassin of Mayor Gaynor, was operated on in the Hudson county jail, where he has been confined since the shooting, for an abscess on the left thigh.

This injury is the result of the beating given Gallagher by Street Cleaning Commissioner William Edwards after Mayor Gaynor had been shot.

Gallagher suffered much pain, and Dr. Hasking, deputy county physician, performed an operation. It was entirely satisfactory. Gallagher's case will be presented to the grand jury at the courthouse in Jersey City, Sept. 22.

County Division in Custer County.

Anselby, Neb., Sept. 17.—The question of dividing Custer county on a plan to make five counties will be voted upon at the general election in November. The proposed new counties will be, Arbor county, with Carter way the principal town and probable county seat; Albion county, with Oconto the principal town and probable county seat; Corn county, with Sargent the principal town and probable county seat; Rose county, with Anselby the principal town and probable county seat, and the future county seat of Custer county would be either Merna or Anselmo.

Mosquito Ditch Fails.

Council Bluffs, Ia., Sept. 17.—In a hearing before the county board a petition of property owners asking that the Mosquito drainage ditch be established, was denied. The cost of the proposed ditch, according to the engineer's preliminary estimate, was \$125,000.

FOR SALE—10 Improved farms in Valley county, Nebraska. Write for particulars.

Windham Investment & Loan Co. Mr. and Mrs. John Hendricks entertained Mrs. W. J. Crosser and daughter, Marjorie, and Miss Edna Nicholas at dinner Thursday.

A Social at Wetenkamp Home.

A general supper and musical program will be given at the home of Mr. and Mrs. A. A. Wetenkamp on Friday evening, September 23. Everybody invited.