

HOBEO IS SHOT AND KILLED

Special Agent Eperley of the Missouri Pacific Railway, in Arresting Hoboes Kills One of the Number.

From Friday's Daily.
Last night at LaPlatte Special Agent Eperley of the Missouri Pacific railway company, had quite a thrilling experience with a gang of hoboes who were caught in one of the box cars of the company stealing a ride, and as a result of the attempted gun play on the part of one of the men, he was shot by the special agent to defend his own life. It was decidedly dark when the men were found in the car and ordered out by Mr. Eperley, and all complied with the command to get out of the car, and when they were ordered to throw up their hands to be searched for firearms, one of the men refused and jumped back of his comrades, and at the same time made a movement toward his rear pocket which was detected by the special agent, and while the man was attempting to get a shot at the officer Mr. Eperley fired, the bullet striking the man on the left side in the region of the heart and causing death almost instantly. It was found on examination of the dead man that the gun which he attempted to use was a large .38 calibre and from the appearance of one of the cartridges in the gun it was clear that an attempt had been made to discharge the gun and it had missed fire, and this probably saved the life of Mr. Eperley. As soon as the shooting occurred Sheriff Charles Hutter of Sarpy county was notified, as well as County Attorney McCarthy, and they came from Papillion to look after the disposition of the body. The dead man together with his two comrades were brought to this city by the Sarpy county authorities and placed in the city jail until they could be taken back to La Platte for the coroner's inquest, which will be held there today.

As far as could be learned from the person of the dead man or from his two companions, there was no trace as to his identity, and as his two companions had just fell in with him on their trip from Omaha they had not learned his name or any facts as to where his home had been. It is clear from his action that he was no amateur in the gunman line and but for the quickness of the Missouri Pacific agent there is no doubt but that the stranger meant to put the officer out of commission.

A. O. U. W. LODGE RAISES IT RATES

Omaha, Jan. 5.—The session of the grand lodge of Nebraska, Ancient Order of United Workmen, held at the Hotel Fontenelle last night, closed a two days' convention of vital interest to the lodge.

Following the adoption of the fraternal congress schedule of rates at the morning meeting, the evening was spent in establishing changes in the lodge law to conform more readily to the insurance laws of the state.

S. R. Patten of Omaha, who presented the fraternal congress schedule to the body, was given a rousing vote of thanks.

The new rate is a slight increase over the rate just supplanted, and not based on a percentage increase, but on figures found by the national congress to adequately provide for all insurance emergencies. It has been incorporated in the law of the grand lodge, but will not become active until May of this year. It will affect each member's policy from the date of his nearest birthday at that time.

W. R. Howell, grand recorder of Missouri, arrived from St. Louis in the afternoon, and addressed the convention last night. Following considerable routine business the session came to a close. The grand lodge will again convene in Omaha May 13-14 of this year.

Mrs. Joshua Andrews is visiting at Hamburg, Ia., at the home of her son, James Andrews and family, where the stork has just paid a visit.

JONATHAN A. WISE IS SERIOUSLY ILL IN OMAHA

From Friday's Daily.
In letters to friends here it is learned that J. N. Wise, one of the pioneers of this locality, is quite ill at the home of his daughter, Mrs. Jesse L. Root, in Omaha, where Mr. and Mrs. Wise have been making their home since removing from this city. Mr. Wise has been feeling poorly for some time and is now confined to his home, and has been required to give up all business cares. The illness is quite severe owing to the advanced years of this estimable gentleman. The many old friends will regret very much to learn of the condition of Mr. Wise and trust that he may be able to recover from his illness.

TO BE SUPERINTENDENT ANOTHER YEAR

From Friday's Daily.
G. H. Tams, the present superintendent of the county poor farm west of the city, has just been engaged by the board of county commissioners for another year, at a salary of \$100 per month, which will become effective at the commencement of the new term on March 1st. Mr. Tams has more than made good in this position and is worth every cent that he receives to the taxpayers of the county for his careful and thorough methods of operating the farm and looking after the care and improvement of the county buildings. When he assumed charge of the county farm the buildings were not any ways near modern, the methods were out of date in operating the business and the county was in a poor position to handle the affairs of the farm. Mr. Tams at once started in to make the farm a success and a paying proposition and has succeeded in a most admirable manner as the present county farm is held by the state authorities as the model farm in the state, both in buildings and in the methods used in conducting the affairs. All that is used at the farm is more than covered by the receipts from the farm, and allows the county a handsome profit each year as a result of the able methods used by Mr. Tams in the administration of the office. It is a pleasure to the taxpayers to learn that he is to continue in the management of the farm.

JOHN MURTEY IS TOO BIG TO BE DODGED

From Saturday's Daily.
When Representative John Murtey of Cass county asked the legislature to take steps toward ventilating the car shortage in this state he started something that it will be difficult to stop. It was rather surprising that anyone offered the slightest objection to its immediate consideration.

The biggest question in railroading today is the falling down of the transportation companies through their inability to furnish cars in which to get the products of agriculture to the markets. There is no way of calculating the losses sustained by producers because of their inability to ship when markets were alluring, or to keep the avenues of communication open between the warehouses and the big grain centers. It is taken for granted that the congestion of freight traffic has been responsible to a very considerable degree for the high prices of food and other everyday necessities like coal.

The state railway commission has confessed its inability to fully cope with the situation. It may develop upon state legislatures to unearth local conditions explanatory of the shortages and find out to whom shippers may appeal to get what the transportation companies are presumed under their charters to supply.

Representative Murtey is very much in earnest in his ambition to find a remedy whereby future shortages of the sort may be avoided. Every man who is irked by prevailing high prices will applaud his efforts.—Lincoln Star.

Clarence Busche came in this morning from his home near Cedar Creek to spend a few hours looking after some matters of business.

COLD STORAGE HOUSES WELL FILLED WITH ICE

From Saturday's Daily.
The ice harvest in the city closed today with most of the cold storage houses well filled with the fine ice that has been secured from the Missouri river in the past two weeks. Those familiar with the ice business state that the quality of the ice put up this year is the best for several seasons and it has averaged from fourteen to sixteen inches in thickness. J. H. McMaken has been looking after the filling of the different ice houses and has during the harvest paid out in the neighborhood of \$1,600 for labor connected with the business and this sum has all been spent right at home. If it were possible to secure larger houses to store more of the ice a much larger amount would be put up but it is thought that the present supply will be sufficient to fill the needs of the consumers. Mr. McMaken in his years of experience in this line of business has become an expert judge of the quality of ice and states that this year's crop is among the best that he has ever harvested and that the work of putting up the crop has been carried out with dispatch and the workmen connected with the task have all been right on the job.

FORMER CASS COUNTY BOY IS HERE VISITING

From Saturday's Daily.
H. M. Barker of Holdrege, Neb., arrived last evening from his home in the west and will spend a short time in Omaha consulting specialists in regard to his right hand, which has become practically helpless as the result of what seems to have been an infection received three years ago. At that time Mr. Barker, working around his farm, in some manner ran a sandbar in the hand, and this seems to have caused the trouble as since that time he has been suffering to a greater or less extent from the hand. Mr. Barker was here during the late summer taking treatment and at that time it was thought that the hand was progressing nicely, but since his return home it has become much worse and he will once more be compelled to have the hand treated, and probably be operated on before he can regain its use. Mr. Barker in company with his brother-in-law, A. C. Carey, departed this morning for Omaha to consult with a specialist in that city in regard to the hand.

SHIPPING WILLOWS TO RULO FOR RIPRAPPING

From Saturday's Daily.
For the past few days Ed Fitzgerald had a force of men engaged in loading a large number of cars with willows at this place for shipment to Rulo, Neb., where they will be used by the Burlington in rip-rapping along the river bank near that place, where the Missouri river is showing signs of cutting in the bank near the tracks of the railroad. This seems to be the only point where the river is threatening any trouble to the railroad property. The shipment of willows to Folsom, Ia., was stopped several months ago and despite published stories as to the danger there it seems as though the cutting of the river at that point has been very effectively checked and the forming of a large sandbar near that place is protecting the rip-rap already put in and checking the danger that threatened for a long time the tracks of the railroad company. The railroad has denied that their operations there in clearing off a portion of the land on the higher grounds was caused by a desire to move their tracks, but was merely a part of their plans. The checking of the river at Folsom has proven a great satisfaction to the residents of that locality, who far the last three years have been in constant fear of having their land swallowed up in the river.

Henry Heebner came up last evening from Murray with the expectation of taking the early Burlington freight train for Cedar Creek this morning but was disappointed as the train was decidedly late.

A VERY REVOLTING CASE TO BE TRIED IN COURT

From Saturday's Daily.
A crime or attempted crime that is revolting in the extreme has been reported to the authorities and in a few days the party who committed the dastardly crime will be given the opportunity to explain the matter to the court. The victim in the case is a little girl of not more than ten years of age while the offender is the father of the little one. From the facts given in the case it seems that the father and mother of the little girl are not living together and the father recently visited at the home of a married daughter where the little girl was staying and it was at this time that the crime is supposed to have been committed as it was the only opportunity to accomplish his purpose that he had as far as is known. It was several days later that the relatives learned of the matter from the girl and at once notified Sheriff Quinton who has the case now in readiness for the action of the county attorney.

COURT HOLDS AGAINST THE U. P. RAILROAD

Lincoln, Neb., Jan. 5.—The supreme court has handed down an opinion in which it sustains a judgment in favor of Maude M. Henderson, administratrix of the estate of Edward C. Henderson for \$11,000, secured in the Douglas county district court against the Union Pacific for the death of her husband, a brakeman, who was killed while switching cars at Valley.

The crew was "kicking in" a car when Henderson, who was riding between two cars, for the purpose of releasing the coupling pin, was struck by the platform of the stock yards and knocked off and killed. In the syllabus the court says:

1. A workman has the right to assume that his employer has used due diligence to provide suitable appliances in the operation of its business. Ordinarily he does not assume the risk of the employer's negligence in performing such duties. If, however, the defect is known to the employe or is so patent and obvious as to be readily observed by him and he continues to use the defective appliance with full knowledge and without objection, he assumes the risk of injury incident to such a situation.

2. At the time the platform to certain stock yards at a station on defendant's line was built, sufficient clearance was left between it and the side of an ordinary box car so that a brakeman riding on the ladder at the side of such car could pass; afterwards a wider model of car was put in use, whereby only eight inches of space was left between the side of the car and the platform. Held, that it was for the jury to determine whether the lack of space caused by the increased width of the car left a reasonable safe place for a brakeman to work.

3. The question whether the employe had such knowledge of the defective appliance that he assumed the risk of injury from the same, is, if properly pleaded, a question for the jury.

LOCAL BASKET BALL TEAM TO PLAY SIDNEY, IA.

On Wednesday night of this week the First Presbyterian church basket ball team will lock horns, arms, heads and cunning with the Sidney Stags of Sidney, Ia. The Stags are heralded as being as fleet as their namesakes, the denizens of the forest, having defeated the fast Athletic club of Nebraska City. The Presbyterians in preparation for this game, will go to Omaha this evening and will play Creighton High school in the gymnasium of Creighton university. The attendance at the preceding games in this city has been quite discouraging and in the game with Dunbar, which was as nice an exhibition of basket ball as has been seen here, the team "went in the hole" to an extent of nearly \$10. However, a better crowd is hoped for at the game on Wednesday.

CREAM, 37c. at Dawson's store, Plattsmouth. 9-19-d&wtf

WAYWARD KIDS GUEST OF SHERIFF QUINTON

From Saturday's Daily.
Sheriff Quinton has had as his guests for the past two days, two young lads, aged eleven years, who had made their way from the state school for dependent children at Lincoln and were preparing to enjoy a trip out in the world to see the sights, when their trip was suddenly arrested at Weeping Water on Wednesday night. The two boys were discovered there by the train crew of the night passenger train on the Missouri Pacific while they were beating their way from Lincoln to Union. The lads, who are both far too young to be out in the world alone, were found on the "blind" at the rear of the water tank, and were decidedly cold and forlorn when taken off and placed in the hands of the Weeping Water authorities. They were brought here Thursday and placed in the custody of the sheriff as the two boys refused to tell where they were from or even give their names. After close questioning it was finally learned that they were from the state school, and growing tired of life there had decided to start out to visit the country. They gave their names as William Waller, who had been sent to the school from Nebraska City, and Verdon Leppher of Grand Island. Both boys were bright little fellows and seemed well satisfied to take their chances in the world if so allowed. The authorities at the state school were notified of the fact of the boys being here and, yesterday afternoon, Miss Stevens, field secretary of the school, came down and secured the lads, taking them back to Lincoln to once more resume their home in the school.

ANOTHER STORE ROBBERED AT MURDOCK

From Saturday's Daily.
The series of robberies in this county was added to at an early hour this morning when some party or parties broke into the general store of Bauer & Kraft at Murdock and made away with considerable property belonging to the owners of the store. The entrance to the store room was gained through a transom over the rear door, and the robbers were then able to unlock the door and furnish a means of getting out with their spoils. Twenty-seven pairs of shoes of different sizes, \$15 worth of pipes and quite a good deal of jewelry was taken by the robbers. It was not until this morning that the crime was discovered and the alarm given, but by that time the parties committing the robbery had had time to be far away from the scene of the deed. This is the second robbery in the last few days in that locality, as a general store at Alvo was the sufferer a short time ago, and the two cases look very similar and as though the same gang had pulled both robberies off. It is thought now that it is probably someone operating from Omaha, who makes the trips to and from the small towns in autos and after committing a robbery have little difficulty in being back in Omaha before the crime is discovered, and the goods taken are of such nature as to be easily disposed of.

SOME FINE NEBRASKA APPLES.

From Friday's Daily.
The Journal publisher has received a most welcome present in the shape of a fine assortment of delicious Winesap apples, which were presented by J. J. Smith of Florence, the celebrated apple man of Douglas county. Mr. Smith is one of the most successful men in the apple business in the state and the fruit raised on his farm, a few miles north of Omaha, has always commanded the highest price on the Omaha market. The apples received here are perfect in every way with a most exquisite flavor and show great care in preparing them for market. Mr. Smith is the father of Mrs. T. B. Bates of this city.

Sam Ballance and wife of Lincoln came down Saturday evening to enjoy an over Sunday visit in this city with William Ballance and family and other friends in the old town where the Ballance family formerly resided for so many years.

WIFE AND DAUGHTER HURRY TO BEDSIDE OF COLONEL CODY

Denver, Colo., Jan. 7.—Colonel William E. Cody (Buffalo Bill), continued in a serious condition tonight, his physician, Dr. J. R. East, announced. The colonel made the railroad journey from Glenwood Springs last night better than had been expected, but developments during the last twenty-four hours brought nothing to give Colonel Cody's relatives hope of recovery. The colonel's wife and daughter are hurrying here from the family home in Cody, Wyo.

H. C. REHN TO LECTURE AT THE GERMAN HOME

Captain H. C. Rehn of the steamship "Barbarossa," which is interned in the harbor of New York during the war between the European nations, arrived in the city this morning. Captain Rehn has been granted a several months' leave by the North-German Lloyd Steamship company, and during this time he will devote his vocation to lectures throughout the country in the interest of the German and Austrian prisoners of war who are confined to the fastnesses of Siberia. He will speak this evening at 8:15 at the German Home, and will give a very interesting address. The captain is an able speaker and well qualified in every way to give a most interesting lecture along the conditions brought on by the present war. His motives in aiding the unfortunate prisoners of war is most commendable and through his efforts it is hoped to aid those whose treatment in the prison camps is very severe to say the least.

JAMES H. DONNELLY RE-APPOINTED BANK EXAMINER

Among the announcements of the appointees made by Governor Keith Neville appears that of James H. Donnelly of this city, who is again appointed to the office of state bank examiner, which position he has held under the administration of Governor Morehead. Mr. Donnelly has made a splendid official for the state and his careful methods in handling his office has ranked him among the best of the examiners in the state. The friends of Mr. Donnelly throughout Cass county will be well pleased to learn of his appointment and it is a well deserved recognition of an able public servant. Mr. Donnelly has filled this position for the past two years and has demonstrated that he is the right man in the right place in the bank examiner's office.

VISITS AT THE OLD HOME.

From Saturday's Daily.
George Koehnke arrived yesterday from his home at Hay Springs, Neb., to enjoy a visit in this city and vicinity with his many old friends and to renew friendships that have been of long years standing. It has been ten years since Mr. Koehnke moved to Sheridan county with his family and located on a farm there and prospered very much in that country. Mr. Koehnke reports the crops this year as being very fine and the best that has been there during his residence. The Koernkes are all in the best of health he states. Mr. Koehnke will remain here for some two or three weeks before returning west.

MR. PERRY OF CANADA HERE.

Mr. and Mrs. John E. Perry and daughter, Ethel, of Chin, Alberta, Canada, have been visiting Mr. Perry's mother, Mrs. Peter Perry, near Myrard, and Mrs. Perry's parents, Mr. and Mrs. L. H. Young, near Nehawka, and other relatives in this vicinity for the past month. They will depart for Orange, Cal., on Wednesday of this week, where they will spend the winter visiting Mr. Perry's brother and sister. Mr. Perry's mother will accompany them. Mr. Perry was a pleasant caller at this office Saturday afternoon.

Mrs. Pete Schroeder, who has been here visiting Miss Marie Kaufmann and mother, returned to her home at Cedar Creek Saturday afternoon.

THE SUIT AGAINST THE RINGLINGS

The Jury in the Case Agreed to Disagree in Matter of the \$25,000 in U. S. District Court.

The damage suit that William Rinker of this city has been pressing against the Ringling Bros.' circus for the sum of \$25,000 damages, will have to be tried over as the jury in the federal district court at Omaha failed to agree on a verdict, and at 4 o'clock Saturday afternoon the jury was dismissed by Judge Woodrugh. The case occupied all last week in the federal court and a large number of witnesses were called to testify in the case for both the plaintiff and the defendant.

Mr. Rinker alleged that on August 10, 1914, while he was standing at Sixteenth and Dodge streets in the city of Omaha, watching the parade of the Ringling circus, a four-horse cage team became unmanageable and ran away from the driver, and in its progress ran down Rinker. He alleged the injury ultimately resulted in total paralysis of the voluntary organs and almost complete paralysis of the organs of speech. Later in the summer of 1915, the plaintiff commenced his action against the circus company by attaching the property of the company while it was showing at Nebraska City. The circus company obtained a transfer to the United States court.

The circus company in their defense set up the plea that they were not responsible for the accident if it ever happened, and also, that the injuries were not the result of any accident, but from independent causes. Officer Leroy Wade of Omaha was introduced to show that the horse had been deflected from its course by the policeman before Rinker had been struck as claimed. The case was given to the jury at 7 o'clock Friday evening and that body deliberated until Saturday afternoon, when the jury was dismissed.

NEBRASKA RETAIL CLOTHIERS TO MEET IN OMAHA SOON

From Saturday's Daily.
The coming state convention of the Nebraska Retail Clothiers which is to be held in Omaha February 20-21 at the Hotel Fontenelle, promises to be one of the greatest meetings of its kind held in the history of that city and the program is without a doubt one of the best that has ever been arranged. Secretary C. C. Westcott of the association has had the stationery and literature prepared for the meeting and will with President F. H. Barclay of Pawnee City, arrange the preliminary details of the convention. Special entertainment features will be provided and a number of strong speakers have been arranged to take part in the meeting. This will give the clothiers of the state a splendid opportunity to gather and learn many of the points of the modern business methods in advertising as well as in the talks from the manufacturing heads that supply the clothing to the retailers. The Omaha jobbers and wholesalers are preparing to entertain the visitors at a great banquet at the Fontenelle on the closing night of the meeting.

RECOVERS FROM PNEUMONIA.

From Saturday's Daily.
P. J. Vallery, who has been having a siege with pneumonia, was down on the street today for the first time in two weeks today. Mr. Vallery has had a very severe case and for several days was in a very critical condition but is now feeling much better and his many friends are well pleased to see him able to be up and around.

E. B. SPERRY QUITE POORLY.

E. B. Sperry, the cashier of the Burlington station in this city, who has been confined to his home for several weeks with a severe case of pneumonia fever, is reported as being in a very serious condition. Mr. Sperry has not shown the improvement that had been hoped for and has steadily grown worse and complications makes his case a very serious one.