

The Plattsmouth Journal

Nebraska State Historical Society

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NO. 4

Platte Bottom Road Held Public Highway

Judge Louis Lightner Finds for the Plattebottom Auto and Wagon Bridge Co. in Suit.

From Thursday's Daily—
The road running east and west across the Platte bottom leading to the King of Trails and Plattebottom Auto and Wagon bridge over the Platte river, is a public highway, the decision of District Judge Louis Lightner, of Columbus, holds in his opinion that was received here this morning by the attorneys in the case of the King of Trails Bridge Co. vs. the Plattebottom Auto and Wagon Bridge Co.

This case was tried here several weeks ago and attracted a great deal of attention with a large number of witnesses being heard on both sides as to the question of whether the road was a public or private highway.

The road had been in use for a great many years leading to the Plattebottom Auto and Wagon bridge over the Platte river, the King of Trails bridge was constructed last fall the land on which the highway was located was sold to the King of Trails Bridge company by the Chicago, Burlington & Quincy Railroad company, on whose right-of-way the road and bridge was located. The King of Trails Bridge company carried the road leading as far west as the approach to their bridge to be graded up and surfaced and also had a guard rail or fence placed across the highway on the west side of their bridge approach. Later the remainder of the highway was graded up by T. H. Pollock, president of the Plattebottom Auto and Wagon Bridge company, to meet the grade placed on the road by the new bridge company, and then later after the fence was not removed it was torn down by employees of the Plattebottom Auto and Wagon Bridge company. The plaintiff company contended that the highway was a private road and as such had become their property on purchase.

On the tearing down of the fence, the King of Trails Bridge company secured a temporary restraining order against the defendant company to prevent them removing the fence and this was the cause of the action being heard in the district court and which has resulted in the findings for the defendant.

George Stander, a resident of northwest of this city, was interviewed in the case asking that the road be kept open as a means of travel and that the plaintiff company be prevented from fencing up the highway.

In his opinion Judge Lightner holds that the evidence showed beyond a doubt that a public highway was established in there with the consent of the owner at the place where the highway now runs. The right of the public highway was recognized by the C. B. & Q. Railroad company, the court holds. The court further finds that the county of Cass did the work of opening up the highway and constructed one bridge on the course of the highway so that it might be traveled. The court held that it did not consider important in the case the fact that Mr. Pollock, president of the defendant company, had solicited the county to do work on the road.

PROVE REAL ROOTERS

From Friday's Daily—
The support that the Plattebottom people are giving their fast and hard fighting basketball team was shown last evening when some 100 of the Plattebottom fans, including the adult rooters as well as the school people motored down to Nebraska City to witness the game. While they were disappointed, the bunch are still boosting for the blue and white and wishing them luck on the rest of their season games and will as enthusiastically attend the other games that the boys have to play.

QUIET DAY AT COURT HOUSE

From Thursday's Daily—
The bad weather has a tendency to keep the householder close to the fireside and warmth, and has had a very depressing effect on business at the court house as well as at the stores and very few callers were found around the various offices. The lack of new business was utilized by the officers and deputies in the various offices in getting a large part of their routine work that might be on hand cleaned up and disposed of.

BACK ON DUTY

From Friday's Daily—
Frank A. Cloldt, cashier of the Plattebottom State bank, who has for several days been wrestling with a very annoying attack of rheumatism, and which has kept him confined to his home for several days past, is now back on the job at the bank and diligently looking after business although he is not entirely over the effects of the painful malady and the cold that he has also been afflicted with.

FUNERAL OF JOSEPH VANIK

From Thursday's Daily—
This morning at the Holy Rosary Roman Catholic church on West Pearl street occurred the funeral services of the late Joseph Vanik, whose death occurred on Tuesday after an illness of some duration.

The impressive requiem mass of the church was celebrated by Father J. Hanicek and the services attended by a large number of the old friends and neighbors to pay their last tributes of love and respect to the memory of the good man who had been called to his last reward.

The interment was at the Holy Sepulcher cemetery west of the city.

Enrolling Members for Bridge Association

Fee of Membership Placed at \$1 and Which It Is Hoped Will Allow Hundreds to Join.

From Thursday's Daily—
The officers of the newly organized Cass County Bridge and Highway association are now conducting a campaign to secure as many additional members to the association as possible. The next meeting of the association has been called for March 2nd at Weeping Water and at which time the officers for the year will be permanently selected and also more interest added to the campaign that is being made for the Missouri river bridge and better county roads and it is desired that the membership be as large as possible for the meeting to give all sections of the county a good representation.

President J. A. Gardner is sending out the notices to the various precincts and community committees urging a greater effort in the membership campaign as the larger number that is enrolled means greater interest at the meetings and in the formations of plans.

The Missouri river bridge plan will come up for consideration probably at the 1927 session of the Nebraska legislature and the months that intervene are the ones that the residents of this section will have to devote to getting before the world the need of adequate means of crossing the Missouri river with bridges at Plattsmouth, Nebraska City, Rulo, Blair, Omaha and Sioux City.

Let the boosters keep on the job and they will succeed in putting over their plan that will give the whole state an added advantage as well as that of the state of Iowa and will be carried out without any appreciable increase to the taxpayers of the cost of state government.

HOLD PLEASANT MEETING

From Thursday's Daily—
Last evening the First Presbyterian church parlors was the scene of a very pleasant and instructive meeting, the first of a series of five study evenings that will be held. Each year the congregation of the church takes up the study of some portion of the world and this year the subject will be "South America" and its peoples, country and customs.

Proceeding the study period the ladies of the church served a very enjoyable supper that was participated in by a large number of the members of the congregation and which also featured a short song service at the conclusion of the service.

Rev. H. G. McClusky had charge of the study period and gave many interesting facts that were little known to the members of the class, the fact that the South American continent was much nearer Europe than ours, the fact of the great unexplored areas of the northern portion of the continent under the equator where there are still vast tracts of land that has never been visited by white men in the last several hundred years and where the natives are still in the state of savagery with occasional groups that have met and come in contact with the dwellers in the more civilized sections of the country. The study has proven most interesting and on such of the study nights there will be special leaders selected to give facts and researches on the history of our great southern republics.

BABY DAUGHTER ARRIVES

From Friday's Daily—
The home of Mr. and Mrs. Byron Babbitt in this city will be very happy in the future as the result of a very charming seven and a half pound daughter that arrived on Tuesday at the Methodist hospital in Omaha where Mrs. Babbitt has been for some time. The mother and little one are doing very nicely and the occasion has brought untold joy to the proud father.

Everything in school-day needs at right price at Bates Book Store.

Judge Sullivan Passes Away in San Diego, Cal.

Was the First Democrat Ever Elected as Chief Justice of Nebraska Supreme Court.

Omaha, Neb., Feb. 17.—John J. Sullivan, former chief justice of the Nebraska supreme court died this noon at San Diego, Cal., his niece, Mrs. Alexander Young, was informed today. He was seventy-one years old and succumbed to a general breakdown that followed a paralytic stroke last May. Mr. Sullivan went to California last January for his health.

Surviving are his widow, a brother, William of Albion, Neb., and a sister, Mrs. Mary Shields of Harvard, Ill. Mrs. Sullivan expected to start back to Nebraska with the body Saturday. Mrs. Long was informed. Judge Sullivan was the first democrat ever elected chief justice of the supreme court of Nebraska. He served six years, two as chief justice and twice afterwards refused appointments to that tribunal, once as chief justice. He was first elected to the bench in 1897.

Judge Sullivan came to Omaha in 1909 after Governor Sheldon had tendered him a place on the supreme bench when the number of judges was increased to seven. He served one day, reconsidered his decision, resigned and took up private practice. Of late years he was senior member of a firm of Sullivan, Wright and Thummel.

In several important cases, Judge Sullivan after leaving the bench aided state legal authorities in prosecutions, famous among them the grain trust cases, when he aided Norris Brown, then attorney general and the cases against the Union Pacific for alleged violation of the anti-pass law.

Born in McHenry county, Illinois, in 1856, Judge Sullivan came to Nebraska as a young lawyer and located at Columbus. In 1884 he was elected county judge of Platte county. Later he became county attorney, served in the state legislature and on the district bench.

The Sullivan residence in Omaha was still maintained at the time of Judge Sullivan's death. Judge Sullivan served for six years as district judge while he resided at Columbus, and later for six years on the supreme bench when there were but three judges. For two years he was chief justice. He stood high in the estimation of the bar of the state as a jurist, and his decisions are often pointed to by lawyers as models of conciseness.

Judge Sullivan, although rated as a democrat, was at one time appointed to a place on the supreme court by Governor George L. Sheldon a Republican. He accepted the appointment and was sworn into the office. One day later he resigned, giving as an excuse that his wife did not care to move to Lincoln for a term of office lasting one year only. Judge Dean of Broken Bow, a democrat also, was appointed soon after to fill the vacancy.

It is said of Judge Sullivan that although judge of the Fourteenth district at a time when most state officers and court officials carried passes and at a time when passes were sent out to public officers without necessity of a request that he never used one. He received them as mementoes.

Judge Sullivan was a member of the state legislature from Platte county in 1887 and was later elected district judge. He was elected to the supreme bench in 1897, and was defeated for re-election in 1903 by Judge John B. Barnes.

HAS A GOOD WORD

From Thursday's Daily—
Gregg McBride, well known basketball critic and probably the best informed writer on this game in the state, has several very kindly words to offer as to the work of the Plattebottom high school basketball team. Mr. McBride, who writes for the Lincoln Star and Omaha World-Herald speaks of the local team as follows: "Plattebottom high exhibited a good brand of basketball ability on its two-game trip last week-end. Coach Fred Rothert's Cass county machine wallopped University Place, 16 to 7 on the suburban court and avenged a former defeat by winning a 26-21 game at North Omaha. The Plattebottom five features an exceptional high school guard in Captain S. Hatt and a clever forward in Rebal."

PLACED UNDER PAROLE

From Thursday's Daily—
The settlement of the case against Frank Boetel who was charged with having disposed of a mortgaged car, has been made and the holders of the mortgage satisfied. Mr. Boetel had been paroled by the court under the charge of Henry McKaken and will be released from custody on the charge on which he has been held.

RETURNS FROM KANSAS

From Friday's Daily—
Mrs. J. W. Hendricks of near Murray, who has been visiting for the past two weeks at Corning, Kansas, returned home Wednesday from a very pleasant stay in that locality where she was visiting at the home of her brother, W. F. Chalfant and wife. She reports them as both being in the best of health and enjoying life very much in the Kansas home. They have a nice home on a farm four and a half miles east of Corning where they have been located for some time and which is one of the attractive farm homes in that locality.

Marriage of Former Resident of This Vicinity

Robert Eugene Lister United in Marriage to Miss Loretta Getz at Burbank, California.

The announcements have been received here by the friends of the contracting parties of the marriage at Burbank, California, on Sunday, February 14th of Mr. Robert Eugene Lister, former well known Plattebottom young man and Miss Loretta Rose Getz of that city.

The wedding was a very quiet one, attended by only a few of the immediate friends and the families of the contracting parties.

Mr. and Mrs. Lister will make their home in the future at 826 No. San Jose avenue, Burbank.

The groom is the eldest son of Mr. and Mrs. Lambert Lister, well known residents of this community for a number of years and is also a brother of Mrs. Elmer J. Rummell of Plattsmouth. The groom was in the service of his country in the world war and served in the naval forces of the nation from the declaration of war until the close of the great world struggle. After the war he returned to Plattsmouth and was employed in the local shops of the Burlington until 1923 and then departed for the west coast where he had been stationed in the war times and has since made his home there.

The bride is one of the charming and popular young ladies of Burbank where she has made her home for practically her lifetime and where her friends are legion.

The many friends here of the young people will join in their well wishes to the newly weds and extend to them the heartiest wishes for a long and very happy wedded life filled with all the good things that they so well deserve.

SHOWER FOR NEWLY WEDS

From Saturday's Daily—
Last evening the home of Mr. and Mrs. Henry Kaufman was the scene of a very pleasant gathering of young people by the occasion of a miscellaneous shower given in honor of Mr. and Mrs. M. K. Duda, recently wedded, and which was given by the members of the party.

The young people made the evening one of the rarest enjoyment with a finely staged mock wedding as well as games of all kinds that served to pass the time most delightfully for all of the members of the party and it was a late hour when all departed for their homes wishing Mr. and Mrs. Duda many years of happiness and joy.

At an appropriate hour a dainty and delicious luncheon was served by Mrs. Kaufman assisted by Mrs. Duda.

In honor of the occasion the newly weds received a large number of very handsome and attractive gifts of all kinds that will be very pleasant remembrances of the happy event.

Those attending the event were: Misses Theresa Donat, Anna Krejci, Mary Sedlak, Mary Holy, Viola, McSinger, Alice Smetana, Rose Horsack, Helen Smetana, Louise Kalaek, Anna and Dorothy Sedlak, Anna Duda, Catherine and Pauline Gradoville, Helen, Bessie and Annie Sedlak, Ruth Janda, Alice Wooster, Rose and Julia Jansen, Messers Frank Horsack, Louis Sedlak, Frank Sedlak, Fritz Sedlak, Mikey and Roy Turner, Ronald Helgate, Harry Collins, Omaha, Mr. and Mrs. Ben Turner, Mrs. Bertha Marco, Omaha, Mr. and Mrs. Henry Kaufman and Mr. and Mrs. Mike Duda.

BERNESE HORN IMPROVING

From Friday's Daily—
The reports from the St. Catherine's hospital in Omaha state that Miss Bernese Horn, daughter of Mr. and Mrs. P. A. Horn of this city, who was operated on there a few days ago for a severe case of appendicitis, is now showing improvement and her condition is the very best that could be expected under the circumstances. Mr. Horn was at Omaha today to spend a few hours with the daughter.

Central P-T Association Has Meeting

Over 100 of the Parents Gather at the Program That Was Full of Interest and Pleasure.

From Friday's Daily—
The Parent-Teachers association of the Central building of the city school met last evening at the school building to enjoy the observance of the Founders day and to take part in the event there were present over 100 of the parents and pupils.

The officers and committee of the association had arranged a very interesting program that most fittingly observed the day and was one that brought out a great deal of display of real talent on the part of a large number of the boys and girls that attend the public school here.

The drum and piano duet by Catherine and Wallace Terryberry was one that attracted the attention of all of the members of the party as the very youthful years of the little folks made their offering especially clever.

Miss Helen Virginia Price also gave a very pleasing reading that reflected the greatest of credit upon this talented little lady.

The Central building boys with their harmonious orchestra proved a rather unusual and interesting feature of the evening program and one that was appreciated by the large audience to the utmost.

The grace of the old time minuet was given very artistically by Helen Jane West and Bertha Hennessey and which demonstrated the ability of the little ladies.

The fifth grade pupils offered a two part song that was well given and enjoyed by all of the members of the large audience.

A short history of the Parent-Teachers association was given and short tributes to the founder of this organization.

Miss Irma Pittman, who has been heard at different times in the programs given at entertainments here favored the members of the party with a pleasing piano number.

The members of the P-T were given a very interesting address on the work of the organization in the state and nation by Mrs. Eva Morse of Omaha and which served to give the members of the association a much clearer insight into the work of the organization.

The ladies given to the room with the largest number of parents in attendance was won by the room of Miss Alice Waters.

The evening was closed by the serving of refreshments which the mothers of the third grade pupils served most delightfully.

The committee in charge are very appreciative of the work of Mrs. G. D. Dovey in arranging the program and to all those who took part in the program.

AMERICAN LEGION AUXILIARY

From Saturday's Daily—
Yesterday afternoon the ladies of the American Legion Auxiliary were most delightfully entertained by Mrs. Frank Barkus at the home of Mrs. L. G. Larson on west Marble street and with a large number of the members in attendance at the most pleasant gathering.

The ladies at the meeting yesterday held their election of delegates to the district convention of the order which will be held at Lincoln on Friday, February 26th, the following being selected: Mrs. Thomas Walling, Mrs. Frank Rebal, Mrs. Ralph Johnson, Mrs. J. P. Johnson. The alternates named were Mrs. H. L. Thomas, Mrs. Harold Erickson, Mrs. E. J. Hill and Mrs. Frank Barkus.

The social features of the afternoon closed with the serving of dainty refreshments by Mrs. Barkus and Mrs. Larson.

At one of their early spring monthly meetings the ladies are planning to dispense with all business and hold "guess day" with each member privileged to invite an outside eligible.

The ladies are also planning on the issuance of a year book in the near future.

ARRIVAL OF DAUGHTER GLADDENS HAPPY HOME

Mr. and Mrs. Clarence Busche are being showered with congratulations upon the arrival of a sweet little daughter at their home on Monday evening, February 15, 1926. Col. Busche is stepping very high since the interesting event and he reports that the little girl is a beauty, but that she does not resemble him as much as she does her mother. Mrs. Jennie Whalen, nurse, and an old time friend of the family, is taking care of the little newcomer and the mother. Mr. and Mrs. Busche have been married nine years and this is their first child so naturally she received a very cordial welcome. Mrs. Busche was formerly Miss Ida Farnoff, one of the popular young ladies of this county.—Louisville Courier.

Newspaper advertising pays!

RETURNS FROM HOSPITAL

From Saturday's Daily—
This afternoon Miss Sarah Baird returned home from the Clarkson hospital in Omaha, where she has been for the past ten days recovering from the effects of her recent operation for appendicitis. The patient has had a very rapid recovery from her attack and operation and is feeling in the very best of shape and is now well on the highway to recovery. It is very pleasing to the friends to learn that she is able to be home and they are trusting that she may soon be able to resume her usual activity.

Womans Club Has a Pleasant Time Last Nite

Mrs. Allen J. Beeson Hostess at the Session of the Club Last Evening—Very Good Program

From Saturday's Daily—
The Plattsmouth Womans club enjoyed an exceptionally pleasant meeting last evening at the home of Mrs. Allen J. Beeson, president of the club, in the Coronado apartments.

The early portion of the evening was taken up with choral work under the direction of Mrs. E. H. Westcott with Mrs. R. B. Felton assisting at the piano and was enjoyed by a large number of the ladies. After the business meeting had been disposed of by the ladies a very interesting program was given, Mrs. Thelma Nelson giving one of her delightful vocal numbers, the accompaniment being played by Miss Leona Hudson.

Miss Esther Delzell of the city schools gave a very interesting talk on "Mary Washington," in which she covered the life of the mother of the first president and many interesting incidents of the life in the colonial days and the early development of the new nation.

Mrs. A. F. Harrington of Omaha, who was to have been with the ladies was unable to be present and sent a very able paper on the "Drama in the Club," which was given by Mrs. William Woolcott and proved a very fitting close of the drama week that the ladies have been observing here.

The ladies also completed the plans for the holding of an art exhibition in the parlors of the First Methodist church on Thursday afternoon, February 25th and to which there is planned to have a very large exhibition of the Bohemian art and handicraft work as well as specimens of the work of local artists in oil, water and china painting. It is hoped to have a number of the pieces of work of the Nebraska artists on exhibition at this time.

At the close of the evening dainty refreshments were served by the hostess who was assisted by Mrs. M. E. Brantner, Mrs. G. W. Goodman and Mrs. R. B. Felton.

Nat Goldstein, formerly boss of the republican party in St. Louis, has joined his companions in the Federal penitentiary, who were all former office-holders in St. Louis, and were connected with Jack Daniel's whiskey conspiracy case.

Wintersteen Hill P-T Ass'n Has Meeting

Pleasant Social Time Marks the Observance of Founders Day by This Live Chapter.

From Friday's Daily—
In the nation wide observance of Founders day of the Parent-Teachers association, the Wintersteen Hill district of the association here has had a very fitting observance of the event and one that afforded the greatest interest to all of the members of the district who gathered at the school building on Wednesday evening to enjoy the delightful event.

The committee in charge of the event had arranged a very pleasant treat in the program of the evening and was one that offered pleasing musical numbers and solid able discussion of the problems of the teacher and the parents.

Miss Rachael Baldwin, one of the talented young ladies of that portion of the city, gave a very delightful piano solo that proved most artistic in its rendition.

Miss Matilda Olson also entertained the audience with a very cleverly given vocal selection and was later heard with her brother, Roy Olson in a whistling duet that reflected the greatest credit on the young people. Mrs. Clara Upp served as the accompanist for the numbers.

Superintendent G. E. DeWolf of the city schools also gave a very interesting address on "Founders Day" covering a part of the work of the Parent-Teachers association and its growth over the nation until the present time when it was one of the largest organizations in the United States and aiding in the advancing of the cause of education over the nation.

Miss Pearl Guillott, one of the teachers of the Wintersteen hill school also gave a pleasing whistling solo.

Not the least of the pleasant features of the evening was the piano and harp duet by Rachael and Walter Baldwin, two of the young people who showed a great deal of skill in their work.

The refreshments at the close carried out the idea of the birthday of the P-T-A by a large and attractive birthday cake.

RECEIVE PLEASANT RECOGNITION OF ABILITY

From Saturday's Daily—
The Misses Leone and Verla Becker, daughters of Mr. and Mrs. H. E. Becker, of this city, who have for the past year been engaged in teaching in the Fremont High school, have received a very pleasant recognition of their work this season. The board of education of Fremont has re-elected both of these efficient teachers and at a very pleasing increase in salary that comes as an appreciation of their excellent services. Both of the ladies are graduates of Plattsmouth high school and the University of Nebraska and this has been the first year of teaching for Miss Verla who was one of the high ranking graduates of the University of Nebraska the past year.

Willing Co-operation

The American people, according to recent figures, added one billion dollars to their Savings deposits in the latter half of the year 1925.

Join the conquering army of savers NOW by opening a Savings Account at this solidly established bank.

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