

THE PLATTSMOUTH WEEKLY JOURNAL.

"BE JUST AND FEAR NOT."

VOL. 13. NO. 48.

PLATTSMOUTH, NEBRASKA, THURSDAY, NOVEMBER 22, 1894.

\$1.00 PER YEAR. IF PAID IN ADVANCE.

BOARD WILL REFUSE.

County Commissioners Will Resist Paying Registration Expenses.

CITY'S CLAIMS ARE REFUTED.

Board Holds That the Liability of the City is Plainly Fixed by the Statutes—Prospective Time Card Changes—Notes.

That Registration Muddle.

There are excellent prospects for a hot fight in the courts over the determination of the city officials to refer the payment of the late registration expenses to the county. The members of the county board, will of course, take no official action in the matter until their December session, but there is every reason for believing that the board will refuse the claim. The statement, as made by the city officials, that the statutes contain nothing by which the city can be made liable for fall registration expenses, is disputed at the court house, and on the contrary, it is claimed that the statute, state very plainly that the city must foot the registration bills.

A victory for the city in the courts means quite an item, as the county could then be held for all the expenses attendant to fall registrations held since the law has been on the statutes. For this reason city officials propose to push the matter in the courts to the best of their ability.

Time Card Changes.

The Burlington will put into effect a new time card Sunday, November 25, which will lessen the time of No. 2 between Denver and this city a full hour. On the date mentioned No. 2 will leave Denver at 9:50 p. m. instead of 9 o'clock, as heretofore, arriving in this city and Chicago at the same time as fixed by the present card. It will leave Denver after the arrival of all trains from the Pacific coast, Utah and Colorado, and will be the fastest train by forty-five minutes between Denver and Chicago.

On or about the 25th inst. the Missouri Pacific will make a change in its time table, caused by making the run from Kansas City to Omaha in an hour less time. This will throw the 5:45 train going north into this city fully forty minutes earlier and the 10 a. m. train from Omaha will get in about 10:40.

Sold Diseased Hogs.

Henry and Frank Vincent were arrested at Nebraska City Friday charged with selling diseased meat. The men had sold three dead porkers at the packing house in that town, which, upon examination, were found to have died of cholera.

The police were at once notified and one of the men was arrested at a bank, where he was cashing the check which he had received for the dead animals. His brother was found seated on a wagon in which were twenty-one dead hogs, supposed to have died from the same disease. The men pleaded guilty and were fined \$25 and cost. Being unable to pay they were remanded to jail. The men also confessed that they had hauled several loads of dead animals which had died of cholera to Lincoln and disposed of them to the rendering establishments in that city. They seem to have made a regular business in selling cholera-infected hogs.

The men are brothers to a young Vincent now in the Otoe county jail awaiting trial on the charge of stealing hogs from General Van Wyck some time ago.

An Act of Heroism.

Wednesday morning the Mo. Pacific freight pulled in from the north at a rapid speed, it came near running over a reckless little kid who was in the center of the track trying to outrun the train. Conductor Dugay, seeing that the engine was sure to overtake the boy before it could be stopped, climbed around to the front of the pilot and just as the engine was upon him he leaped and snatched the boy from the track. In doing so he ran a great risk of being killed himself for before he got off the track the engine struck his foot but luckily did not hurt him. The boy was Henry Pettit, son of Joseph Pettit, who may thank Conductor Dugay for saving the lad's life.—Louisville Courier Journal.

That oily and rough skin cured and the face and hands beautified by Johnson's Oriental Soap; medicated and highly perfumed. Sold by Fricke & Co.

Stock Men Kick on Rates.

South Omaha packers are up in arms over the proposed advance in freight rates, notice of which has been given to take effect December 1, by the western freight association. The new rate will advance freight on live hogs and packing house products from Omaha to Mississippi river points from 15 cents per hundred pounds to 18 cents—a raise of 3 cents; while from Omaha to Chicago the advance is from 22 to 23 cents—a raise of 1 cent. From Kansas City, Sioux City and other Missouri river points the increase in tariff is in proportion.

One of the heavy South Omaha packers said recently: "The packers now, as in the past, have taken the ground that we do not oppose any increase of rates where such increase does not effect our business. But at the present time, when the conditions are abnormal, we do object. Nine years out of ten an increase of rates would make no difference, but this is the tenth year."

"When we heard," he added "that the order to raise rates had been given out by the executive officers of the traffic officials we went to Chicago and asked that the advance be postponed until the Missouri valley region had the usual crop of hogs and corn—which meant perhaps a year. The next thing we knew the order was given to raise the rates December 1."

Stockmen figure that if the rates go into effect it will mean a loss of \$3.50 to \$7 per car to the farmer who has any hogs to ship east.

Some of the livestock men are of the hope that a single road will see its chance and cut loose from the others in case it can get an immense business. The packers were never so free from entanglements with the roads as now, and it is believed that they would be in shape to make it an object to some road or combination of roads forming a route to keep the rates where they are.

The opening of the spring will undoubtedly see a big rush of travel over the new Burlington extension into Montana. The terminus of the extension is fortunately in the great Yellowstone valley, one of the richest agricultural and stock regions of Montana, and that section of the state should get a large influx of immigration the coming season. If the road pushes on into Meagher county next spring other rich valleys will be opened up. The Burlington is going to be a great factor in the building up of Montana.

Operated On For An Abscess.

Dr. E. W. Cook, assisted by Drs. T. P. Livingston and Dr. E. D. Cummings, performed an operation yesterday upon Jed Vance for the purpose, as it is known in the medical profession, of giving the latter relief from an empyema or abscess in the pleural cavity on the right side of the lung. The abscess has been forming for the past four or five months and after a long attempt had been made to effect an internal cure, an operation was decided on. A piece of the ninth rib, about two inches in length, was first removed and the abscess was then thoroughly drained, the operation being a complete success. Vance's condition today is good, and his physicians have every hope that he will soon be about and in good health.

It looks as if E. A. Gerrard is right in the newspaper swim. He first succeeded in securing the nomination as the prohibition candidate for governor to advertise his paper, and immediately follows it up with a \$20,000 libel suit against him. The latter is by a saloon-keeper. If the two combined don't fire the prohibition heart and induce the cold water crew to shower shakels into his till then he might as well retire from the business.—Lincoln News.

A horse race consisting of a quarter mile dash for \$500 a side was run last Saturday afternoon at the Baldwin track, east of McPaul, Iowa. The racers were the Baldwin horse, a dark bay, and a sorrel mare from Kansas. A crowd of perhaps 1,500 people was present to witness the race, and probably \$5,000 changed hands on the result. The sorrel mare won by a neck—having got 6 feet the start. Time 22 1/2 seconds—1:30 pace.

It is quietly rumored in railway circles that the B. & M. officials have made up their minds to widen the big cut through the bluffs to the Missouri river bridge south of town, the object being to lay a double track to the bridge. It is not the expectation to commence work until spring, but when the dirt does commence to fly it means a construction gang of a considerable number.

ONE THING AND ANOTHER.

The lawyers of Lincoln are having a warm squabble as to who will secure the vacancy on the district bench of Lancaster county after Judge Strode resigns. No less than a dozen men are mentioned as aspiring for the place. If Governor Crouse, who will name the man, should consult the people of Cass county, the gubernatorial choice would be Lawyer Ed. Wooley. Mr. Wooley is well and favorably known in Cass county as an excellent lawyer and a man of integrity and character. There are none who could better fill the position, among all the aspirants, than Ed. Wooley, and THE JOURNAL trusts that his merits will meet with proper recognition at the hands of the governor.

Here is a pointer from the Jefferson City Mo., Tribune to the farmer: "Squire Lester, of Marion county, was in the city yesterday and sold twenty-two head of wheat fed hogs. He weighed the porkers before he began feeding them. He fed just exactly 34 bushels of cracked wheat and the hogs gained 1100 pounds, or 50 pounds for each hog. He paid five cents a pound on foot. By a little figuring it will be observed that Mr. Lester realized \$1.52 per bushel for his wheat. This is enough to make farmers open their eyes. It beats selling wheat at forty cents a bushel. There is an immense amount of wheat in Cass county and if the farmers can make even \$1 per bushel out of it they will be well satisfied. Mr. Lester says the wheat should be cracked in order to obtain the best results."

A party of Lincoln's wholesale men have gone on an excursion over the B. & M.'s new line to Billings, Montana, their object being to capture a share of trade in that territory. A hot fight between the wholesale interest of Lincoln and Omaha will be made for supremacy in that section, and Lincoln stands an excellent chance of coming out first best.

HAS SURELY RECOVERED.

Mr. Bignell's recovery from his recent illness, enabling him to get down to the council chamber for a few moments, was the signal for a fresh onslaught upon the public by the corporate interests and their backers in the city council. While Mr. Bignell was ill and unable to be around the people got a rest.—Lincoln News.

The Rock Island railway has backed out of the recent agreement made by western roads on the advance rate charged for excess baggage and the old rates have been restored. As a matter of fact, the old charge is much too small, as it is really less than the rate for first class freight, but the Chicago wholesale houses, who claimed that the advance was costing them over \$20,000 a day, raised such a howl that the Rock Island backed down and the other roads were compelled to follow. It is only another case of Chicago ruling the roost.

The Lincoln Journal's correspondent at Nebraska City says that Geo. Leidigh, a nominee for float representative in this float district at the late election, is a candidate for warden of the state penitentiary. If Mr. Leidigh is really an aspirant THE JOURNAL trusts that he will win. Governor Holcomb certainly could not make a better choice.

Lincoln has quite a sensation over the arrest of a Cotner university professor and five students on the charge of grave robbing. The arrest was made last evening and the dead body, for the theft of which the party was arrested, was found on a slab in the dissecting room of the university partially dissected. The body was that of a man named Albers, and was buried on Thursday of last week in Wyuka cemetery. The grave robbery occurred last Monday night, but it was not until yesterday that the authorities got a clue as to the exact identity of the ghouls. All of the party are out on bonds.

Residence Burned at Wabash.

The residence of Jos. Jackson at Wabash was burned to the ground Friday. All the household effects were saved. The fire, writes our informant, must have caught from a defective flue, as when the flames were discovered only the roof around the chimney was on fire. The loss is covered by insurance.

The "Plan Sifter" flour is the popular brand. Ask for it from your grocer.

AGAINST THE COUNTY.

Supreme Court Decided the Louisville Bridge Case.

COUNTY LIABLE FOR REPAIRS.

Question of Sarpy Being Jointly Liable Not Passed Upon And Cass Will Make a Test Of the Matter—Various Other Notes.

That Louisville Bridge Case.

The supreme court of the state handed down an opinion Tuesday in the Louisville bridge case, and in it the county is held to be liable for the repairs and maintenance of bridge. The following is the syllabus in full: Dutton et al vs. Pankonin et al. Error from Cass county. Affirmed. Opinion by Commissioner Ragan: "Louisville precinct," a political subdivision of Cass county, voted its bonds to aid in the construction of a wagon bridge across the Platte river. The county commissioners of Cass county issued the bonds voted, sold them and used the proceeds in constructing a free wagon bridge across the Platte river near the village of Louisville in said county and at a point where the river is the division line between the counties of Cass and Sarpy.

The southern portion of the bridge became out of repair and unsafe for travel. The county commissioners of Cass county were notified thereof by three tax-payers and citizens of said county and requested to repair the same. The commissioners refused to make the repairs on the ground that it was not the duty of Cass county to keep such bridge in repair.

To compel the commissioners to repair the bridge said tax-payers instituted proceedings in mandamus. Held:

1. That as the statute makes the middle of the main channel of the Platte river the boundary line between the counties of Cass and Sarpy that the legal presumption is that the south half of such bridge is in Cass county and that it is the duty of the authorities of said county to keep said portion of said bridge in repair, and that they would be compelled to do so by mandamus proceedings instituted and carried on by and in the name of said citizens and tax-payers.

2. That said bridge is not the property of said "Louisville precinct."

3. That such bridge is the property of the public and a part of the public highways of the state.

4. Whether it is the duty of the authorities of Cass county to maintain the entire bridge in repair and in a condition safe for travel, not decided. The fact that the court did not pass on the entire liability was because that problem was not a portion of the suit. It is now quite probable that the county board will institute suit to compel Sarpy county to pay one half of the expense for repairs.

The following remarks, made by a German farmer in northwestern Kansas at an irrigation convention, is said to be the best irrigation speech that has ever been made in the state. It is as follows: "Last year I do irrigate one square rod of ground. I plant in cucumbers. I do so well that this year I do irrigate one acre. Next year I do irrigate some more."—Sydney Telegraph.

That celebrated beverage, "Munchener" beer, on top at the Casino.

Official Pluralities.

The last of counties which were back on official returns reported to the secretary of state at Lincoln on Saturday, and the following is the official vote complete on all the state offices:

Governor—Holcomb 97,815, Majors 94,623, Sturdevant 7631. Holcomb's plurality, 3,192.

Lieutenant Governor—Moore 96,916 Gaffin 85,236, Dunphy 14,595. Moore's plurality, 11,680.

Secretary of State—Piper 96,317, McFadden 65,130, Elick 18,508, Rolfe 11,334. Piper's plurality, 31,187.

Auditor—Moore 98,808, Wilson, 75,176, Bauman 19,389. Moore's plurality, 23,632.

Treasurer—Bartley 96,281, Powers 69,955, Luikart 16,097, Breidenthal 13,892. Bartley's plurality, 26,346.

Attorney general—Churchill 96,987, Carey 81,825, Ames 14,324, Churchill's plurality, 15,162.

Land commissioner—Russell 95,056, Kent 83,356, Bigler 14,180. Russell's plurality, 12,700.

School superintendent—Corbett 98,603, Jones 80,435, Doolittle 14,374. Corbett's plurality, 18,168.

AROUND THE COURT ROOMS.

DISTRICT COURT.

The Tutt-Hawkins contest over the short term seat in the city council from the Fifth ward, was tried and submitted before District Judge Chapman Saturday. Written briefs were submitted by the opposing attorneys, Messrs. Gering and Graves, and the matter was taken under advisement. A decision is expected next Saturday, when the judge returns from his duties at Nebraska City for the purpose of closing up the Cass county term of court.

COUNTY COURT.

License to wed was issued in county court late Friday afternoon to Mr. Ira Mills and Miss Florence B. Carnes, both of this city.

Judge Ramsey presided Wednesday morning at the wedding of Mr. Wm. M. Wash and Miss Rosa Ottinger. The groom is a resident of St. Joseph Mo., while the bride hails from Glenwood, Iowa.

The suit of Mrs. John Streigel vs. the U. O. T. B. lodge of this city, in which Mrs. Streigel sues for \$45 alleged to be due her husband as sick benefits prior to his death last winter, was on trial before County Judge Ramsey today. The society makes the defense that Striegel misrepresented his age when he joined and that he was past the age limit. Mrs. Streigel has already been accorded judgment in county court for \$1,000 on an insurance policy in the U. O. T. B., and following the precedent it is expected she will win the suit for the sick benefits.

COURT ROOM NOTES.

It is noticed lately that Judge Ramsey carries a cane on his arm. There are those who say the judge is superstitious and is afraid of being attacked by some enemy. He himself says he is at times afflicted with sciatica in his legs and needs a cane for support.

Nebraska's Congressmen.

The official canvass of the state has been completed on the vote for congressmen in this state, and the following are the pluralities of the victors in the different congressional districts:

First district—J. B. Strode, republican, 5,455 plurality.
Second district—D. H. Mercer, republican, 4,571 plurality.
Third district—Geo. D. Meiklejohn, rep., 4,793 plurality.
Fourth district—Eugene J. Hainer, rep., 3,951 plurality.
Fifth district—Wm. E. Andrews, rep., 860 plurality.
Sixth district—O. M. Kem, populist, 2,401 plurality.

U. S. federal court is grinding away now at Omaha in good fashion, and the trial of Jules Sandoz, the Frenchman who had charge of the Grayson post-office, in Sheridan county, was begun Wednesday. Sandoz is the possessor of a ranch and four wives, and when one tires of him he goes to live with another, so it is alleged. While acting as a servant of Uncle Sam he is alleged to have run short of funds, so he just issued a supply of postal notes and established a new circulating medium in that part of the state, while politicians were worrying themselves gray headed over free silver. He exchanged the postal notes for supplies for his ranch, and now he is charged with embezzlement.

W. B. Porter, J. R. Porter, J. C. Gilmore, M. Dodge and Wm. Wettenkamp, residing in the vicinity of Plattsmouth, have some ancient claims against the government for loss of stock caused by depredations of the Indians in the 60s, amounting to over \$50,000. Deputy U. S. Attorney Smith of Omaha was down there last week investigating the matter, which will perhaps result in the payment of the claims before 1900. Red tape in these matters has caused many a poor man to die of hunger.—Weeping Water Eagle.

After the trial of Sam Payne, the Omaha colored man on the charge of murdering Maud Rubel, was well under way, it was discovered that one of the jurors was a resident of Iowa. The disclosure knocks the bottom out of the entire proceedings and a new juror must be procured and the trial commenced anew. The break will cost Douglas county a cool \$2,000.

Tom Cooke, he of state house fame, was in town Tuesday consulting with personal friends. The election of the state republican ticket, exclusive of governor, makes Tom's continuation as chief sacheem of the ring secure for another term of two years.

SHOT OFF A FOREARM.

A Youth's Hunting Expedition Has a Disastrous Result.

STATE IS AFTER IT'S CASH.

The Supreme Court Fixes the Suit Against Ex-Treasurer Hill to Commence Before a Jury On December 11th—Other Notes.

The thirteen-year-old son of Peter Nord, the well-known Norwegian who is stationed at the B. & M.'s Platte river bridge at Oreopolis as watchman, suffered the loss of his left fore arm yesterday. The boy had started on a short hunting expedition and while walking across the bridge to the Sarpy side of the river, carelessly allowed the stock of the gun to slip from his grasp onto the stringers. As a consequence the gun was discharged and the entire load was buried in the boy's forearm, completely shattering it. Dr. T. P. Livingston was hastily summoned from this city, and the wounded arm was amputated just below the elbow.

The State After It's Cash.

The motion pending before the supreme court in the case of the state against ex-state treasurer Hill for fixing a time for trial, and to define the manner of drawing a jury, has been passed upon. The court yesterday fixed December 11 as the day for the trial and appointed William H. Munger of Fremont and N. V. Harlan of York as commissioners to select the sixty persons from the state at large to report for jury duty.

The large amount of money involved and the prospect of a trial before a jury, an unprecedented proceeding in the supreme court, has drawn the attention of the state to this suit in which the state seeks to recover \$236,000 of the state funds deposited in the Capital National bank. Judge Wakeley first instituted suit for the state in Douglas county, but that court held that it was without jurisdiction. This judgment was affirmed by the supreme court which decided that the suit must be commenced in Lancaster county, the location of the state capitol. Judge Wakeley and Attorney-General Hastings then demanded a trial by jury in the supreme court.

Judge Broady, attorney for Mr. Hill, together with the attorneys of Hill's bondsmen, declared that the case should take its course in the lower court and that the supreme court did not have original jurisdiction. Under a section of the constitution the court held that it has original jurisdiction in causes where the state is directly interested.

The proceeding promises to be one of the most interesting ever had before the courts in this state.

Judge Sullivan, attorney for the plaintiff in the suit of Mrs. W. B. Shryock vs. the Modern Woodman Accident Insurance association, which was tried in the Lancaster county district court the other day and resulted in a disagreement of the jury, reports that the jury stood 10 to 2 in favor of his client. The Lincoln papers misstated the fact when it was published that the balloting for a verdict ended in a tie—6 to 6. The case will come for a retrial in January and the judge feels hopeful of winning. The sum of \$3,000 with interest is involved.

We Hope It's Authentic.

Not only has the Burlington posted notice in its Havelock shops that the men will be given full time work hereafter, instead of five days out of six, but it is also stated that the forces at these shops, as well as at the Plattsmouth shops, is to be materially increased in the near future. It is said that thirty new men have been ordered put on in the blacksmith shop at Havelock alone.—Lincoln News.

A correspondent of the Lincoln Journal at Nebraska City says: "Constable H. G. Strong of Nehawka was in the city today looking for a gang of horse thieves who have been operating in his neighborhood recently." Mr. Strong was in Plattsmouth today. He said that he was not in search of horse-thieves, but instead was looking for the parties who prolonged a pair of lap robes from a farmer's wagon last Saturday in Nehawka. The theft was committed in broad day light, while the wagon was standing on the main street of the village.

T. M. Howard of Weeping Water was a Plattsmouth visitor today.