

THE PLATTSMOUTH WEEKLY JOURNAL.

"BE JUST AND FEAR NOT."

VOL. 14. NO. 49.

PLATTSMOUTH, NEBRASKA, THURSDAY, NOVEMBER 28, 1895.

\$1.00 PER YEAR. IF PAID IN ADVANCE.

CUMMINGS GUILTY

Found Guilty of Manslaughter at 7:30 Saturday Morning.

AN OLD PUPIL OF THE JUDGE.

He Writes to Congratulate His Former Teacher on His Election as District Judge—Other Happenings in and Around Town.

OMAHA, Neb., Nov. 23.—Special to THE JOURNAL.—The jury in the Cummings-Vance murder case brought in a verdict at 7:30 this morning of manslaughter. The verdict was a surprise to the prosecution as a verdict of murder in the second degree was confidently expected.

Moved For a New Trial.

A motion has been made for a new trial in the case against Charles Cummings, recently convicted of manslaughter. Among the reasons advanced in support of this motion is the alleged misconduct of the county attorney, who, in his remarks to the jury said:

"This man ought to be convicted of murder in the first degree."

This misconduct was further supplemented, it is alleged, by that of the court, who is charged with having said in answer to the objection of the defendant's attorney to the remark that he did not think that the statement ought to be criticized.—Bee.

A Letter of Congratulation.

Among the many letters and telegrams of congratulation received by Judge Ramsey, the following from Julian D. Graves was received last Saturday. The writer of this letter was one of Judge Ramsey's students in school, more than a quarter of a century ago:

ALVIN, TEXAS, Nov., 20, 1895. JUDGE B. S. RAMSEY, Plattsmouth, Neb.

Dear Friend:

I wish to extend to you my most hearty congratulations on the event of your election to the district bench. I have always been glad to learn of your promotion from time to time, and I take special pleasure in congratulating you on this occasion.

I hope you will wear the ermine with pleasure, honor and profit, with the last excepted, I feel sure you will.

The dispensers of justice have always had my sympathy, for some always go away to say what my first lady client said, when the judge decided against us. "I could have made a better decision myself." May you always weigh out justice as the Great Judge will to us when we stand before His bar, without prejudice or partiality in his prayer and may it be said of Ramsey as it was of Bacon. "He was the justest judge that sat on the bench." With best wishes I remain Yours truly, JULIAN D. GRAVES.

Bicycles Will Not Go Free.

Commencing Dec. 1st, the new rules regarding the transportation of bicycles, tricycles and baby carriages in baggage cars will go into effect on the western roads. A schedule of charges for this class of baggage has been agreed upon and the rate taxed will depend upon the distance travelled. When the passenger fare is \$4.50 or less, a charge of 25 cents will be made on wheels. Thirty cents will be charged when the fare is \$5. On a \$10 fare the charge for wheels will be 65 cents. It will cost \$1 to take a wheel along if the passenger fare is \$16.70 and \$2 if the passenger fare is \$32. The sliding scale is employed and on a passenger fare of \$67 the baggage charges on a wheel will be \$4.10. All of the roads in the west have agreed to this schedule of charges.—Bee.

Death of Mrs. Latham.

Word was received in this city yesterday announcing the death, at University Place, of Mrs. Nancy Latham, a widow lady aged about seventy years. The cause of the lady's demise was a cancer on the top of the head. Mrs. Latham was a very highly esteemed woman of many kindly qualities. Four children are left to mourn her loss. They are Mrs. Wm. McCauley of this city, Mrs. Joel Messersmith of University Place, Print Latham of Illinois and Will Latham of St. Joe, Missouri. The remains will be brought to this city at 8:25 tonight, and taken to the residence of Wm. McCauley. The funeral arrangements have not been completed up to the time of going to press, but will Reliah occur tomorrow.

ans, see J. M. Leyda. also furnished.

A Business Change.

From Friday's Daily. A. H. Weckbach, the well-known groceryman, this morning sold his business to Messrs. J. V. Egenberger, sr., and Robert Troop. The firm name will be Egenberger & Troop, and the latter gentleman will take charge tomorrow morning. Messrs. Egenberger & Troop formerly operated a grocery store in this city, and are very popular with Plattsmouth people. Mr. Weckbach, when asked what he intended doing, replied that he was now a "retired capitalist." It is reported that he will go back to the Faderland in a short time, but whether he will reside there permanently is not known.

Mr. Troop will not remove his family to this city this winter, as he has arranged for them to remain on his farm until spring. He had no idea whatever of making the purchase until yesterday, when he incidentally made an offer to Mr. Weckbach, which was accepted.

No change in the clerical force will be made for the present at least. THE JOURNAL welcomes the new firm, and regrets to see Mr. Weckbach retire.

Nebraska City Precinct Bonds.

Nebraska City News.

The case of J. Sterling Morton and others vs. the county commissioners, which was tried and submitted to the court yesterday, is a case in which all property owners of this city and what is known as Nebraska City precinct are interested. It is the case agitated by the News some time since and brought to knock out the \$40,000 bonds voted by what is known as Nebraska City precinct to aid in bringing the Missouri Pacific railroad to this city. The supreme court has already declared that there is no such precinct as Nebraska City precinct, as it was illegally created. This decision was handed down in the bridge bond case, wherein J. Sterling Morton and others were plaintiffs. These bonds become due next year, and but for the injunction, the levy would have had to be made this year to pay up the same. It is thought that there will be no trouble about the bonds being knocked out. The bonds are owned partly in the east and old country, they being sold by the citizens' committee that guaranteed the right of way, to reimburse themselves for money expended.

Thanksgiving Day.

Yesterday was an ideal day for giving thanks for the many blessings enjoyed during the past year. The good weather no doubt helped to swell the attendance at the several churches where divine services were held. Union services were held at the South Park Baptist church, and the congregation of the Presbyterian, Methodist, Christian and Baptist churches combined in their services, which were very interesting. Rev. Burgess also conducted appropriate services at St. Luke's church, and the attendance was unusually good.

Business generally was suspended after dinner, and the B. & M. shops closed down for the entire day, allowing the employes ample time to enjoy their turkey. All in all, the day was apparently thoroughly enjoyed in Plattsmouth, and as the police report no arrests, we all should be thankful.

Accumbent to the Dread Malady.

Sunday morning at four o'clock, at the home of his mother in South Park, all that was mortal of Albert Britton passed into eternity. Consumption was the cause of the young man's demise, an affliction from which he has been a sufferer for several months. He formerly resided in Denver, where he held a position in the union depot elevator department. Until a few months ago he has been employed in Chicago, when he came home, and has since been growing gradually worse. He was about twenty-seven years of age, and was generally well-liked by his acquaintances.

The Funeral Occurred.

The funeral occurred at two o'clock Monday afternoon from the South Park Baptist church, Rev. Post officiating, and the remains were interred at Oak Hill cemetery.

An Expression of Gratitude.

Through the THE JOURNAL, I desire to express my heartfelt thanks for the many kind expressions of sympathy tendered me during the illness and at the death of my son, Albert. I will ever revere the memory of those dear friends. MRS. LUCINDA BRITTON.

Jesse McVey sr., of West Rock Bluff, who was in town Saturday, says himself and most of his neighbors have their corn husking done. The general run is thirty to forty bushels per acre.

A PIONEER DEAD.

Dr. John Black Departs From This Life Wednesday.

TUXEDO CLUB'S DANCING PARTY

The Crowning Social Event of the Season Occurred at Waterman's Hall Last Evening—Other Happenings Around the Town.

Friday, Nov. 23.

Death of a Pioneer.

On Wednesday, Nov. 27, at 8:10 p. m., Dr. John Black departed this life, at his home in South Park. Deceased has been suffering for some time with a complication of diseases, which, with old age, was the direct cause of his demise.

Dr. Black was seventy-four years of age, and was born in England. Sixty years ago he came to America, settling in Cleveland, Ohio, where he graduated from the medical college. In 1848 he was married to Miss Maria D. Wiley. The fruits of this marriage was six children, as follows: E. W. Black, J. N. Black, R. W. Black and Mrs. Agnes Ruffner of this vicinity, and Mrs. Oella Kirkpatrick of Nebraska, and Mrs. Lessie Reed of Council Bluffs, Iowa. In 1854 the family removed to Missouri, and after a residence of nine years in that state came to Nebraska and located in Plattsmouth, where he has continually resided until his death.

Dr. Black was a practicing physician in this city until several years ago, when he retired on account of failing health. About five years ago Mr. and Mrs. Black agreed to separate, and the doctor shortly afterwards married a lady named Mrs. Kew, of Michigan, with whom he has lived ever since. Deceased owned considerable property, but just what the provisions of his will are is a matter of conjecture at present.

The funeral services were held this afternoon at three o'clock, at the family residence, Rev. H. B. Burgess, of St. Luke's church, officiating. The remains will be taken to Maysville, Mo., for interment tomorrow morning at 9:30, and will be accompanied by deceased's wife and daughters, Mrs. Will Ruffner, of Havelock, and Grace Kew, Mr. and Mrs. E. W. Black, Will Ruffner and Mr. and Mrs. J. N. Black.

Social Event of the Season.

Without doubt, the most brilliant event of the current season was the Thanksgiving party given by the Tuxedo Mandolin club at Waterman hall Wednesday evening. Plattsmouth's beauty, grace and gallantry was in evidence to a greater extent than at any gathering the city has seen for many a day. The large number present seemed to enter into the spirit of the occasion and from the moment the soul-inspiring music struck up with the grand march, until the last melodious echo of "Home Sweet Home" had died away "everything went merry as a marriage bell."

A number of guests from out of town were present and evinced a keen enjoyment of the delightful company and exquisite music. Some of the late fashionable dances were introduced for the first time in this city, notable the "Oxford Waltz" and "Tribly Two Step" and seemed to meet the hearty approval of the merry dancers.

Those present were:

Mr. and Mrs. John Donelan of Weeping Water; Mr. and Mrs. Shuey, Mr. and Mrs. Sam Patterson, Mr. and Mrs. Joe Klein, Mr. and Mrs. L. O'Neill, of Havelock; Mr. and Mrs. C. S. Sherman, of Lincoln; Mr. and Mrs. A. L. Cleman, Misses Barbara Gering, Antonio Kessler, Dora Swearingen, Florence White, Mable Swearingen, Lulu List, Dora Fricke, Minnie White, Anna Wyckoff, of Ottumwa, Grace Taylor, Ella Clark, Claire Green, Mamie Coffey, Myrtle Levings, Mamie Sullivan, Jessie Oldham, Grace Walker, Mrs. Henry Herold, Dora Herold, Ida Bock, Maud Eaton, Anna and Agnes Kennedy, of Omaha; Delia Tartsch, Jeanette Balance, Bertha Nitke, Kate Jeville, —Bruel, of Havelock; Clara Wilson, Lena Schrader. Messrs Bert Holmes and John Langston, of Havelock; Ray Waterman, of Crete; Tom Parmele, of Louisville; Tom Flynn, of Omaha; Henry Goos, Henry Weidman, Chas. Sullivan, W. Elster, Carl Frkke, Dave McEntee, Henry Gering, C. E. Taylor, Lawrence Dutton, of Lincoln; Dick Waugh, Tom Miller, Fran Johnson, of Lincoln; Frank White, E. Schulhoff,

John Schulhoff, Dan McCallen, Nels Murray, W. C. Tippens, Jim Newell, Don Atwood, Lee Atwood, Henry Snyder, Everett Eaton, George Lehnhoff, Henry Tartsch and Frank Levings.

A Good Suggestion.

Attorney E. H. Wooley of Lincoln, who is well known here, has made the following very sensible suggestion, which was published in the Lincoln Journal Tuesday morning:

"The occurrence of Mr. Yates, one of the jurors in the Davis trial becoming insane and thereby necessitating the discharge of the jury and impaneling of another, has caused the inquiry to be made frequently if there was not some way to avoid the expense occasioned by such an occurrence. It not infrequently occurs that in protracted criminal trials a juror dies or becomes incapacitated by sickness and in such cases a large amount of additional expense is usually the result. To avoid this I would offer the following suggestion for the consideration of the members of the legal profession and members of the next legislature. That the law be so amended that when the trial judge deems it advisable he may direct the impaneling of a jury of thirteen, the last one called to sit with the rest and hear the testimony and be kept with the other jurors and in case any of the others become incapacitated, to take his place but to take no part in the decision of the case otherwise. If the first twelve jurors remain capable of acting until the case is finally submitted, the thirteenth juror to remain in the custody of the sheriff ready to take the place of any juror who might become disqualified before a verdict is agreed upon and returned."

Miller's Good Time.

Engineer Miller of the Burlington has made some wonderful time during the past few years, but he broke all his previous records yesterday with engine No. 19 by pulling train No. 92 from Havelock to Ashland, a distance of 17.2 miles, in eighteen minutes from start to stop. This was a standing start from Havelock, which fact makes the time more remarkable. On the way, the distance from Waverly to Ashland, being 12.1 miles, was covered in ten and one-half minutes, which is equal to the fast mail record made between Pacific Junction and Lincoln. Railroad men do not remember of a faster run.—Lincoln Journal.

Young Lady Teacher Injured.

Miss Lillian Stoutenborough, the teacher at the Horning school house, while carrying a bucket of coal into the school house Wednesday, slipped and fell, striking upon her head. The lady was rendered unconscious, and was carried to her boarding house, a message sent at once to this city for a physician. Miss Stoutenborough's head was quite severely bruised, but beyond that, her injuries were slight.

Before Judge Haines.

A trial is in progress before Justice Haines this afternoon, the parties to the suit being Sol Bergman, the Omaha jeweler, and C. H. Parmele. The case is a suit in replevin, Bergman seeking to recover possession of the stock of goods bought of him by Jeweler C. E. Johnson, and which were covered by a mortgage held by Mr. Parmele, given as security for rent and money advanced. The case was taken under advisement by Justice Haines.

Judge Archer, this morning received a letter from his son, Will, who lives near Wolbach, Neb. Among other things the writer stated that the sugar trust was trying to force down the price of sugar beets, the principal crop in that vicinity, by claiming that the beets were not up to the required test. This scheme has been worked extensively this fall in this state by that grinding monopoly.

As so few violinists are capable of playing the Mox Brusch concert in G minor it will be the opportunity of a life time to hear it Monday night. Hans Albert is the only violinist in the west who is playing it. At Presbyterian church Dec. 2. Admission fifty cents. Seats reserved at Lehnhoff's without extra charge.

William M. Clarey, Esq., one of the most prominent and leading attorneys of Nebraska City, is in the city, the guest of Judge Ramsey. Mr. Clarey was for six years superintendent of schools of Otoe county and is chairman of the judicial committee. His organization for the recent judicial fight was the work of a master hand.

Farm loans made at lowest rates. T. H. Pollock, over First Nat'l Bank.

NEWS IN GENERAL

Local Grist of News In and Around the Town.

POLICE COURT BUSINESS GOOD.

Several Arrests Made and a Warrant Out For Another—Other Local Happenings In and Around the City of Plattsmouth.

Police Court News.

Al Harkins and a man named John Ulrich of Mt. Pleasant precinct, became involved in a scrap Monday night and when the smoke had cleared away the latter was found to be unconscious, with a broken nose and badly bruised face. He soon rallied and escaped from the city. Harkins was arrested and taken before Judge Archer, who assessed him \$10 and costs. Part of the fine and costs have been paid, and Harkins promised to square the bill soon. Meanwhile he is languishing in the county bastille. A warrant is out for the arrest of Ulrich.

Jas. McEntire, a young farm hand, undertook to drink all the liquor in town this morning, but was gathered in by the police before he caused the threatened famine.

John Karnes and Will Sage appeared in police court Tuesday morning and pleaded guilty to disturbing the peace. Each were fined \$2 and costs and upon arranging to pay the damages were allowed their liberty.

Was a Busy Month.

During the month of October the Burlington road handled 106,000 cars of freight. October is usually a busy month with the Burlington, but only once before in its history did it move a larger tonnage in that month. In October, 1892, it handled 116,000 cars of freight. Its earnings for the month this year averaged about \$30,000 per day more than those for the same month last year. These figures are quoted as an illustration of the general improvement which has taken place in the railroad situation in the west. It is but the beginning of what is yet to come. The Burlington is pre-eminently a corn road, and the corn crop has not yet begun to move in volume. It will not do so till about the beginning of the new year. In the meantime, general business has improved to such an extent throughout the west as to enable the Burlington to make the record it has done.—Lincoln Journal.

Father Murphy Victorious.

A dispatch from Tecumseh in yesterday's Bee, says: "Father William Murphy came out victorious in the injunction case against him here today. Bishop Bonacum brought proceedings against Murphy to restrain him from retaining possession of the local Catholic church, with its property. Murphy refused to give up the church, at least until the case now pending in the ecclesiastical court is acted upon. During the progress of this case the

court room has been crowded, with interested spectators. At the conclusion of the case, and when Judge Bush gave his decision favoring Murphy, his friends crowded around him to extend congratulations. The judge unsuccessfully endeavored to keep order, but being unable to do so, a short recess was taken until congratulatory demonstrations were at an end."

A Fortunate Woman.

A woman named Hoffman, who has been working here, complained to the police yesterday that she had lost a pocketbook, containing \$65 in money. She boarded a train for Omaha yesterday morning and evidently did not discover her loss until her arrival in that city. She came back on the next train and, after finding an officer, started up to the house where she stayed the previous night, when they met the head of the household coming down in town with the pocketbook in his hand. He stated that he had found it at his house that morning, and it was turned over to the owner. Mrs. Hoffman was certain that she had dropped the pocketbook in the depot here, and it was very fortunate for her that the money fell into honest hands.

Another Business Failure.

This morning the stock of W. G. Keefer, the well-known Sixth street harnessmaker, was taken possession of by the First National bank of this city, on a note for \$600. Mrs. Keefer has a second mortgage on the stock, and the bank has appointed Mr. Keefer as temporary agent, and the business will be continued, for the present, at least. Mr. Keefer deserves the sympathy of the public in his misfortune, as he has been making a brave effort to keep up, under adverse circumstances. He says he will undoubtedly be able to liquidate nearly all his debts here, and intends doing so. Lack of business is given as the direct cause of the failure. THE JOURNAL hopes to see Mr. Keefer again on his feet in a short time.

Rabbits are Proliferous.

There seem to be plenty of rabbits on the river bottoms above this city. Sunday several hunters left here to shoot the festive cotton tails, and succeeded in bagging a nice string of the timid little animals. A number of quail were also bagged by the hunters, and several jack rabbits were killed.

During the summer several persons told us that they could not raise the cash necessary to pay their subscription account, but that they would pay in wood. If they expect to do so, we must have the wood at once. Don't wait until the weather and roads get bad, but get here with the wood.

List of Letters

Remaining unclaimed in the postoffice at Plattsmouth, Nebraska, Nov. 27: Connor, Marie Davis, Chas Grant, John Hoschar, Lon Long, Emma Franplin, Harry Snyder, Henry Salisbury, L H Gitman, Wm Warwick, Emily J Persons calling for any of the above letters or parcels will please say "advertised." W. K. Fox, P. M.

\$15,000! \$15,000! \$15,000!

--- WORTH OF ---

CLOTHING,

Manufactured for the Western Trade and Bought for Spot Cash Prices by

ELSON, THE CASH CLOTHIER.

Fall Overcoats, \$2.00.	Boys' Suits, \$2.50.	Business Suits \$5.00.
Children's Suits \$1.90.	MEN'S Worsteds Pants, \$1.00.	MEN'S SHIRTS 50c.
Men's Gloves, 35c.	Men's Wool Hats 35c.	Men's Shoes, \$1.00.

Our stock is the largest and best selected stock ever brought to Cass county, AT BED-ROCK PRICES. ELSON, Cash Clothier, Opposite Court House, Plattsmouth, Neb.