

PLATTSMOUTH WEEKLY JOURNAL.

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IN DISTRICT COURT

The Thompson Damage Suit is Now on Trial.

EVIDENCE IS TAKEN FOR FOURTH TIME

Every Point Being Stubbornly Contested and Case Attracting a Great Deal of Interest—Jury in Olson Case Decides for Defendant.

The fourth trial of the case of W. K. Fox, administrator of the estate of Amos K. Thompson vs. the Missouri Pacific Ry has occupied the attention of the district court since Saturday afternoon, when the motion of the attorney for the defense for a change of venue was argued in a very spirited manner and overruled by the court.

The selection of a jury occupied all the time up until five o'clock Monday, when the taking of testimony for the plaintiff commenced. This was completed Tuesday evening, and the defendant began introducing its evidence. It will probably be finished this afternoon, and the arguments being finished, the case will likely go to the jury tomorrow.

On three members of the regular panel on the jury, the balance of the jury being composed of talesmen. Attorneys Wagner and Orr of Atchison and Sullivan and Polk of this city are attending to the interests of the railway company, while Matthew Gering is battling for the plaintiff. The case is being very stubbornly contested on both sides, and a large number of interested spectators are to be found on the court room all the time.

Theory is being kept together and closely watched by the sheriff and bailiffs.

All the members of the regular panel, except the three who are serving on this case, were discharged by the court Monday.

The case of Louis Olson vs. the C. B. & C. Ry. went to the jury about 5 o'clock Saturday afternoon, having been a trial for three days. After being in for an hour, the jury returned a verdict in favor of the defendant. The case will probably be appealed.

By Pleased Progressive Hearts.

Miss Nellie and Mary Leonard entertained a number of their young friends in a most pleasant manner last Friday evening, at the comfortable home of Mr. and Mrs. V. V. Leonard on 4th Sixth. Progressive hearts were amused and indulged in, the prize being won by Miss Rosa Wintersteend Charles Beeson. Delicious refreshments were served.

Among those present were: Misses Rosa Wintersteen, Anna Pollock, Kitty Agne, Josie Daniels of Glenwood, Birdsmith, Capitola Black, Gertrude Bees, Tinsey Smith, Adda Smith, and Messrs. Charles Beeson, Ed Tutt, Ralph White, Duke Bulger, and Chas. Kerr.

Death of Mrs. Gilbert.

Mrs. W. Gilbert, a pioneer of the county at her home in Weeping Water Sunday afternoon of general debility, after an illness of several weeks. Mrs. Gilbert was sixty-three years of age, and came to Cass county with her husband and family more than twenty years ago, since which time she has resided continuously in the vicinity of Weeping Water. The funeral was held at the Methodist church two o'clock yesterday afternoon, and was conducted by Rev. J. B. Maxfield.

Pleasantly Entertained.

In honor of Misses Isabelle and Lizzie Hull of Fremont, Miss Blanche Sullivan very pleasantly entertained a number of her young friends last Friday evening, at the home of her parents, Mr. and Mrs. A. N. Sullivan. The time was most delightfully passed in dam and in guessing games, the prize the latter being won by Miss Bertha Kichey. Dainty and delicious refreshments were served, and every one present had a splendid time.

Birthday Party.

Last Friday afternoon, Miss Katherine Agw celebrated her birthday by entertaining a number of her young lady friends from 2 until 5 o'clock. Elegant refreshments were served, and most joyous music rendered, and a most joyous time had by all who were present.

The Royal Mystic Lodge of America gave very enjoyable musical and literary entertainment at the hall Monday evening.

COMMENT AND CRITICISM.

Lincoln on Labor and Capital.

Those who defend labor against the encroachments of combined capital, quote Mr. Lincoln to the effect that "labor is prior to and independent of capital." This the opposition declare was never said by Mr. Lincoln. But it was, and much more.

Just forty years ago, September 30, 1859, Mr. Lincoln delivered an address before the Wisconsin State Fair at Milwaukee, from which I quote the following:

"The world is agreed that labor is the source from which human events are mainly supplied. There is no dispute on this point. From this point, however, men immediately diverge. Much disputation is maintained as to the best way of employing and controlling the labor element. By some it is assumed that labor is available only in connection with capital—that nobody labors unless somebody else owning capital, somehow by the use of it, induces him to do it. Having assumed this, they proceed to consider whether it is best that capital shall hire, and thus induce them to work by their own consent, or buy them and drive them to it without their consent. Having proceeded thus far, they naturally conclude that all laborers are either hired laborers or slaves. They further assume that whoever is once a hired laborer is fatally fixed in that condition of life, and thence again, that his condition is as bad as or worse than that of a slave. This is the 'mudsill' theory."

"But another class of reasoners hold the opinion that there is no relation between capital and labor, as assumed; and that there is no such thing as a freeman being fatally fixed for life in the condition of a hired laborer, that both these assumptions are false, and all inferences from them groundless. They (we) hold that labor is prior to and independent of capital; that, in fact, capital is the fruit of labor, and could never have existed if labor had not first existed—that labor can exist without capital, but capital could never have existed without labor."

Of course this is nothing more than many others have said, and truths therein stated have been persistently forced down the throat of plutocracy in these later years, but it is refreshing to receive them so tersely from the lips and heart of the great emancipator.—John P. Stelle, Dalgren, Ill.

All Honor to Governor Poynter.

As a handler of the veto Governor Poynter has demonstrated that he is a past master. His action in refusing his official sanction to the passage of the Talbot resolution is one that will ever redound to his credit. The insulting falsehood that our brave boys, who are now giving up their lives in the Philippines, were "defending the principles of our government and adding new glory to the flag," was enough to damn the resolution, and the wonder is that the hand that penned the infamous lie was not stricken with palsy. Our soldier heroes are being sacrificed on the altar of greed and unholy ambition, and made the victims of the murderous spirit that has ever animated the emissaries of the evil one from the time of Adam. God bless Governor Poynter for his noble stand for the right! He is indeed a populist.—Ashland Journal.

A Distinction Without a Difference.

When Washington and his army repudiated the arrogance of England and fought for their freedom and the independence of this country, they were patriots and heroes in the eyes of the world. But when Aguinaldo and his people continue their struggle, begun against the Spanish over two hundred years ago, and fight for their homes, their country's freedom, they are called rebels by the imperialistic goldbug press.—Fremont County Herald.

Agonies of the Imperialists.

A New York imperialist paper admits that we must give to the Philippines a despotism, but let it be a just one, it adds. Another New York imperialist paper advocated swapping the Philippines for the British West Indies. Still another tried to calm the conscience of a correspondent by saying that the world is harsh anyway and such jobs have to be done. They are an uneasy crowd.—Springfield Republican.

Plan of the Land Grabbers.

Our government only needs to maintain a stable government in the island for a year or two. Before we are ready to leave the Cubans will be seeking a nation as eagerly as the Hawaiian did.—Chicago Tribune.

THE WORLD'S IDEAL.

Dr. Price's Cream Baking Powder combines all the elements of ideal excellence. It is highest in leavening power. It is free from the least taint of impurity. No trial can be too exhaustive, no test too exacting, for its admirable qualities.

Cake and biscuit made with it retain their moisture, and are extremely light, flaky and fine grained—not coarse and full of holes as when made with alum baking powders. Alum baking powder leaves a bitter taste in the bread or cake and food prepared with it dries up quickly.

The severest tests were imposed at the World's Columbian Exposition and the California Midwinter Fair, where Dr. Price's Cream Baking Powder eclipsed all competitors. After full examination and competition it secured the highest honors and a special gold medal. These awards stamp it as

"THE FOREMOST BAKING POWDER IN ALL THE WORLD."

RUN DOWN BY A TRAIN.

Aged Italian Killed on the Rock Island at Alvo.

ALVO, Neb., April 11.—An Italian passenger on the Rock Island was run down and instantly killed at the station here about 3 o'clock this afternoon. Train No. 6, which leaves Lincoln at 2:15 had pulled onto the siding here as usual to wait for the passage of the fast west bound No. 5, which makes no stop at this point. When the train took the switch the passengers swarmed out to look around, and some of them, including a group of Italians from California, bound for Italy, went over to get a drink at the depot. The whistle of No. 5 warned them back to their train, but one of the Italians, a man nearly seventy years of age, was caught on the track by the swiftly moving train and was thrown nearly forty feet. When he was reached it was found that he had been instantly killed. He had on his person a ticket to Italy, and inside of his vest was sewed up a certified check and some gold of a total value of \$1,460. The name was on the ticket, but the conductor was not able to give it. The railroad people took charge of the body and as soon as arrangements can be made will ship it on to the destination called for by the ticket in Italy.

Coroner Sattler and Sheriff Wheeler departed for Alvo last night, and an inquest will probably be held today.

Muster Out at Savannah.

LINCOLN, April 10.—Governor Poynter has received the following letter from Adjutant General Corbin, dated Washington, April 6:

"The secretary of war desires me to acknowledge the receipt of your letter of March 30, in which you state that you are in receipt of a numerously signed petition from the officers and men of the Third Nebraska volunteers, now stationed at Havana, Cuba, asking your good offices to the end that they may be granted travel pay should they be mustered out away from home, and inquiring what the intention of the war department is relative to the regiment, and in reply inform you that it is the intention of the department to return this regiment to the United States for muster out as soon as the necessary arrangements can be made for its transportation. The regiment will be landed at Savannah and mustered out at that point, and the officers and men will be entitled to travel pay from Savannah to the place of their enlistment."

Lost All Night.

The adopted son James M., of Mr. and Mrs. J. W. Davis, about seven years old, got lost on his way home from school Monday evening and was not found until Tuesday morning about ten o'clock. He was sitting on the end of the bridge south of John Jurgen's house, which was six miles from home. He was warmly dressed and had been walking all night which kept him from freezing. He was found by Morris Williams, who was on his way to Ashland, and brought

back to the residence of John Schulz, where he was warmed and given something to eat. Mr. Schulz then bundled him up and took him home where he was gladly received by his mother who was almost stricken with grief over his loss. His father and six others were out all night looking for him. The boy seems to be none the worse for being out.—Yutan Breeze, April 1.

ROYAL NEIGHBORS OF AMERICA

Myrtle Camp Instituted with a Membership of Sixty, and Flattering Prospects.

Myrtle Camp, Royal Neighbors of America was instituted in Modern Woodmen hall in this city, last Friday evening.

The Royal Neighbors are auxiliary to the Modern Woodmen, those eligible to membership being Woodmen, and their female relatives by blood or marriage. Myrtle camp starts out with the most flattering prospects, having sixty charter members, fifty of them social and ten beneficiary. The amount of insurance furnished by the order, ranges from \$500 to \$2,000, and the order now has a total membership of over 50,000.

Deputy Supreme Oracle Mrs. E. H. Wilber of Beatrice instituted the local camp, and the following officers were elected and installed.

Oracle—Mrs. Nannie Burkle. Vice Oracle—Mrs. Emily E. Lake. Receiver—Mrs. W. D. Smith. Recorder—Mrs. Clara Barker. Chancellor—Mrs. Kate McMaken. Marshal—Mrs. L. N. Brown. Inner Sentinel—Miss Mary Troop. Outer Sentinel—Miss Bessie Lake. Managers—Mrs. Mary Hassler, one year; Mrs. Anna Egenberger, two years; Mrs. Emily McFadden, three years. Physician—Dr. E. W. Cook. Post Oracle—Mrs. Julia Ledgeway.

The Way to go to California

Is in a tourist sleeping car—personally conducted—via the Burlington Route. You don't change cars. You make fast time. You see the finest scenery on the globe.

Your car is not so expensively finished nor so fine to look at as a palace sleeper, but it is just as clean, just as comfortable, just as good to ride in, and nearly \$20 cheaper.

The Burlington excursions leave every Thursday, reaching San Francisco Sunday and Los Angeles Monday. Porter with each car. Excursion manager with each party. For folder giving full information, call at nearest B. & M. depot or write to J. Francis, general passenger agent, Omaha.

Removal.

THE JOURNAL office has been removed from its old quarters, corner of Main and Third, to the room across the street, one door east of the Perkins street, where we shall be glad to receive calls from our friends—both of a social and business character. Come and see us often.

John R. Cox has a splendid line of heating stoves, which he is closing out now at a very low price. Call and see them.

FROM KLONDIKE.

Interesting Letter From a Plattsmouth Man.

MARK WHITE WRITES HIS PARENTS.

Makes a Sixty-Six Mile Run Across the Mountains With His Dogs—A Contest for a Twenty Thousand Dollar Claim, with Chances in Mark's Favor.

DAWSON, N. W. TERR., Feb. 28, 1899.

DEAR FATHER AND MOTHER: We received the letter telling of Grandma's death, and the one of Frank Niemann's. We were glad to hear from home, but sorry to get such sad news.

I felt awful bad to hear of Grandma's death, but I have often thought I would never see her alive. I know it is terribly lonesome for you now, and I wish we were there to see you all, but we are here, and want to give this country a fair trial, and if we can't make it by next fall, we will come outside. If, however, we don't make it we can't blame ourselves, for we have hustled.

I got back yesterday from a stam-pede to Gold Run, sixty-six miles over and the same back. Made it in two days. The time over was twelve hours, with two summits to cross—the best time that has ever been made. It is a contest case, and if I win it, we are all right. I made the run for a law firm. They did all the lawing, and pay all expenses. The claim had not been properly staked. This claim, if the title proves good, will sell for \$20,000 quick. Of course there is nothing sure about winning it, but the lawyers think they have a dead sure thing.

I prospected a claim on Dominion creek, but got nothing. Have freighted when I could get it to do. In this business, the prices are good when one can get the work, but I have hustled all the time, and could not keep busy.

The winters are very cold here, but I stand it better than most people. My health is good, and so is Kit's. She has been working most of the time and is satisfied. Of course things are not what we thought they would be, but will get along all right, anyhow.

Three of us, Bill Hobbs, Frank Colton and myself, have just contracted a "lay"—that is, dig out the gold, and after it is washed, give half to the owner. Both of my partners are good workers, and it takes three to work so we won't have to hire. The claim is summer digging, but we can work it in winter, too. It is only about fourteen miles from here. We just signed the papers today.

Everything is high in this country, including wages, but you can't buy a job. There are twenty men for every job, and the same in freighting. I could have gone to work last fall, but if one did that he has no chance to get prosperity. I have seven claims, but don't know how they will turn out. I expected to make big money freighting, and keep myself ready to go to stampedes, which I have done. One must keep his eyes peeled in order to get anything here, but I shall not give up. I am determined to make a stake if I keep my health.

I hope you will all live and keep your health till we come home; but in the meantime don't worry about us, as I think this country will do us both good. Try and take life as easy as you can, and take care of your health until we come home, then we will try and relieve you of as much trouble as possible, and make up for the trouble we have been.

I am glad you are going to send me your picture. I wish you and pa and Pearl all would have one taken and send it. We would like to have the pictures of all of you, for if there is any place in the whole world where a picture would be appreciated it is here.

I suppose Mark Selser is home long ago. I was very uneasy about him, but lots of people have made the trip, and I hope he got there all right.

I hope that Nelly is well, and also Ruth; poor girl, I would like to see her. The mail goes out tomorrow, and I hope you will soon get this letter, so you will know we are well.

I am a little sore from my big run, and so are my dogs.

Bill Jennings and Wallace are well and are working for Stanley. Bill has a brush claim on a good creek, and may be good. It has not been prospected yet.

Give my regards to Fred Egenberger and all the boys. Tell Fred I have written him several times, but have received no answer. Hope you are all well.

PERSONAL AND OTHERWISE

Ed. Shriner of Omaha visited in this city Sunday.

Peter Pittz attended to business in Omaha Tuesday.

G. A. Rose of Union was a county seat visitor Tuesday.

Postmaster Fred Crosser of Murray was in the city Saturday.

Sam Patterson spent Sunday with his family in this city.

Herman Bestor was attending to business in Omaha Monday.

Miss Luella Matthews of South Omaha spent Sunday in this city.

Seed potatoes—Early Rose and Early Ohio—at F. T. Davis & Co's.

Miss Celia Breckenfeld of Louisville was a Plattsmouth visitor Saturday.

Wm. Krecklow and family of Manley have been visiting relatives in this city.

Mrs. Dave Miller went out to Franklin Saturday for a visit with her brother.

Editor Graves of the Union Ledger, was attending to business in this city Tuesday.

Chas. Britt of the Burlington supply department at Havelock was in the city Sunday.

Ed. Murphy departed Saturday for Laramie, Wyo., where he expects to permanently locate.

Miss Flora Donovan of Ashland, spent Sunday in this city, the guest of Mrs. R. R. Livingston.

Miss Jessie Foxwell who is teaching school at Nehawka, visited her parents in this city Sunday.

Miss Genevieve Elick of Omaha, has been the guest of Miss Meredith at the Hotel Riley for a few days.

Mrs. Ed. Vanatta of Eldora, Colo., is in the city, called hither by the serious illness of her father Henry Cooper.

Mrs. Chas. Taylor went to South Omaha the first of the week, for a visit with her parents Mr. and Mrs. J. S. Matthews.

Cap't J. W. Barnes of York, an old time citizen of Plattsmouth, was shaking hands with old friends in this city Sunday.

Arthur Bignell, who formerly resided in Plattsmouth, but who is now firing out of Lincoln, visited in this city over Sunday.

Judge Sam'l Maxwell of Fremont, was in the city Tuesday, looking after his property interests, and visiting the family of Judge Chapman.

John Koop, of Louisville one of the honest jurymen of the present term of the district court, got his discharge yesterday, and returned home.

Miss Katherine Agnew, after spending the Easter holidays in this city, returned to her studies at Brownell hall, Omaha, Monday morning.

Last Saturday, Mrs. J. D. McBride took her little son to Omaha, to consult Dr. Gifford the oculist in regard to procuring an artificial eye for the lad.

The police judge's report shows that during March, nine arrests were made. Five paid fines of \$1 each, the fine of one was secured and three were committed to jail.

George Todd who is a student at the Omaha Medical college, has been spending a couple of weeks with his parents, Mr. and Mrs. Ed. Todd. He returned to Omaha Monday.

Miss Cora Schlegel, formerly of this city, was united in marriage, in Omaha, at 8 o'clock Saturday evening to Mr. J. A. Carrington, the superintendent of the Omaha branch of the Red Cross society. Her friend Miss Ida Hay of this city, went up to attend the marriage.

Anton Toman, a blacksmith in the Burlington shops had his right arm severely sprained Saturday. He was handling a heavy piece of iron under the steam hammer, and when it came down it jared his whole body, and injured the arm quite badly.

Miss Lulu Wooster, formerly of this place but now of Nebraska City, was in Plattsmouth Saturday, visiting her brother Ed. who is assisting in carrying for Wm. Tate, who was injured in the Burlington yards here, about three weeks ago. The latter is slowly recovering.

Elmer Cole who was confined in the pest house at Omaha for over two months, while afflicted with the smallpox, was released last week, and Saturday came down for a visit with his family and old friends. His face is covered with red blotches, but there are no pits, and in a short time there will be no marks left to show what he has gone through.