

# THE FALLS CITY TRIBUNE.

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## Catastrophe Averted.

In response to a fire alarm about 10 o'clock Monday morning our uniformed fire brigade made a good run to the Cleveland department store from which the smoke was pouring. The fire originated in a closet underneath the stairway, in the dry goods department, where the bales of cotton are kept.

Mrs. Cleveland had opened the door to secure something from the small room or press and struck a match, the place being so dark. The head of the match snapped off and fell amongst the cotton. By carrying pailfuls of water the fire was confined to the cotton, none other of the immense stock of goods being touched. The loss was not very large, but had the fire gained any headway, in all probability the entire block would have gone. Anyway it was too close for comfort.

## Tragedy Will Soon Close.

About seven months ago the Tribune contained an article telling of the sorrow in the Harvey Bauer family at Denver, caused by the attempt on her own life of Lottie Whitmer Bauer. Later we gave an account of the death of Baby Gladys, the innocent cause of the sad affair. At that time it was thought that Mrs. Bauer would recover but this has proved a vain hope. Lottie was well known here having lived near this city many years and has a host of friends to whom she was very dear. Her wrecked life causes profound regret in Falls City circles. Soon Lottie Whitmer Bauer will be with her baby Gladys, and the husband and father will be left alone within desolate home.

The following clipping was taken from the Denver Post.

Slowly wasting away, totally helpless and insane, Lottie Bauer lies dying at the county hospital. Her wild ravings have died away to mutterings and she does not know even her husband, Harvey Bauer, who is at her bedside whenever the rules of the hospital will permit.

She has ceased to call for the baby Gladys. She will be spared the pain of knowing the baby is dead. For Lottie Bauer will never look with understanding eyes on anything of earth again, and her wrecked life will flicker out before many days have passed.

Just seven months ago Mrs. Bauer was a happy wife and mother. On the day before Christmas an ugly thought entered her mind. She was often temporarily out of her head. She might some day harm her baby daughter Gladys, six weeks old. The thought stayed with her, grew upon her and at last she dropped her work of decorating a Christmas tree and, seizing a pistol, sent a bullet through her brain.

The bullet did not accomplish its work and she was sent to St. Luke's hospital hovering between life and death. She rallied and it was thought she would recover. But day by day her brain clouded more and more and at last she was taken to the county hospital, insane. That was last February. Only the best of care has kept her alive that time, but in spite of it she is slowly wasting away. Her brain is hopelessly wrecked and were she to recover she would always be insane.

Long before the doors open on visiting days, her husband comes to the hospital and as soon as he may enter, goes to his stricken wife, spending the day by her bedside.

## Victim of Accident.

Becoming frightened at the dropping of the neck yoke near the school house last Saturday afternoon, the team of W. A. Margrave ran for four blocks before they could be stopped. Running through the yard at the Casey home they plunged into a fence but extricated themselves and dashed down Cameron's hill being stopped a square and a half from the bridge at the foot of that hill. Mr. Margrave was thrown from the buggy during the runaway and one of the irons on the singletree was driven into his leg just above the knee. The horses did not stop, thus tearing the iron out again, inflicting an ugly wound.

Mr. Margrave was taken to Dr. Miner's office and received the best of attention, and was able to be taken to the ranch that evening. The buggy sustained a great deal of damage.

## W. A. Margrave Dead.

As a result of the injuries received in a runaway last Saturday W. A. Margrave died at the home of Elmer Hoselton in Preston Tuesday afternoon.

Mr. Margrave was one of the best known men in Richardson county, having lived here since early boyhood. By superior business judgment he amassed a large fortune and was considered one of the wealthiest men in southeastern Nebraska. He was heavily interested in Richardson county real estate and owned one of the finest western ranches in the state. He leaves three sons, one daughter and his widow to mourn his loss to whom the sympathy of their many friends goes out.

## Fish in the Wheel.

A. L. Daggett, the miller at Salem, has been bothered for some time by the fish getting into the mill wheel at that place. He has removed over 300 pounds of chopped up fish from there in the past ten days. Friday he had a rack installed and will not be bothered in the future by such a haul.

## Mr. Pollard Speaks Out.

At Mr. Pollard's solicitation and with a view of justice to all we submit the following:

Judge Reese was asked for his opinion of the Pollard case. He said: "You ask me what I think of the pretended charges that are being made against Congressman Pollard. Well, I can tell you in a few words.

"I think they are puerile and childish. I am certain that there is not a man who is trying to make capital out of this, who would not have done the same thing. The law is plain that he was entitled to it, and the same thing has been done in all similar cases. The law was enacted long before he was elected, and salaries universally had been paid under it. Each senator and congressman draws his salary from the fourth of March following his election, but he is not sworn into office until the meeting of congress in December following.

"You will remember that in the prosecution of Senator Dietrich the federal court decided that he was not a senator until he took the oath of office, yet all senators and members of congress draw salary for and during the time after the fourth of March and until the oath of office is administered.

Mr. Pollard was sworn into office at the same time other members were sworn. There is a specific law that members elected to fill vacancies shall draw salary from the date of the beginning or inception of the vacancy. Every congressman so elected is entitled to it, and they all draw it, republicans and democrats alike. Then why should this charge—if charge it may be called—be so studiously iterated and reiterated against Mr. Pollard?

Little Willie climbed the fence,  
An apple tree he spied,  
He ate his fill, then took a pill—  
That's why he never died.

## HE SHOULD PUT IT BACK.

Congressman Pollard admits that he drew the \$1900.00 as congressman for the four months and fourteen days before he was elected, but justifies his conduct on two grounds, viz: Precedent, and that the law permits it.

He has at no time discussed the morality of such conduct, neither has he attempted to say that he earned the money. Hundreds of letters have been written by him within the last week to the voters of this county asking for instructed delegations. In none of these letters does he offer any explanation of his conduct, neither does he express any regret that his avarice has humiliated the party and his friends.

We do not know where his precedent comes from. We do know that no member of congress from this state has ever attempted to draw salary for services never performed. Moses Kinkaid was elected to succeed William Green in the sixth district of Nebraska. He drew salary from the date of his election and not from the time vacancy was created by Green's death.

M. L. Hayward was elected United States senator from this state after the term of his predecessor had expired, and was therefor elected to fill a vacancy. He drew salary from the date of his election and not from the time of the expiration of his predecessor's term.

These men were not looking for a precedent that would give them money to which they were not entitled.

Even if there is a precedent there is no sufficient excuse. Precedent does not make wrong right. There would be no crime today were it not for precedent.

Precedent makes crime but it doesn't excuse it.

If one man had not killed another the great commandment, "Thou shalt not kill" would never have been uttered. Murder is made a felony in every state of the union today because of precedent.

If no theft had ever been committed the table of the laws would never have contained the commandment, "Thou shalt not steal."

Larceny is a crime in Nebraska today because of precedent. If all men had been honest the great American, Theodore Roosevelt, would not have been working about eighteen hours a day for several years to put down graft.

The good citizens of all parties are today fighting graft because of precedent.

No wrong is known to man that has not a precedent, for if there were no precedent man would not know of the wrong.

Mr. Pollard can find ample precedent for graft, too much precedent in fact. The fact that John Jones has committed the same wrong furnishes no excuse for Will Black.

Some of the congressman's defenders are claiming that the law justifies the salary grab. In this they are mistaken. Mr. Bushnell of Lincoln ex-postmaster and ex-editor of the Evening News; the head of Pollard's press bureau and always a strong supporter of Pollard, published a letter in the State Journal which may be found on another page of this paper which ably discusses the legality and morality of Pollard's conduct. To that we will add a word.

The statute under which a justification is attempted is section 51 of the United States statutes and reads as follows:

"Whenever a vacancy occurs in either house of congress, by death or otherwise, of any member or delegate elected or appointed thereto after the commencement of the congress to which he has been elected or appointed, the person elected or appointed to fill it shall be compensated and paid from the time that the compensation of his predecessor ceased."

Mr. Pollard says he is not a lawyer but is a farmer and therefore cannot be expected to know about the law. If there is a farmer reader of this paper that cannot understand this law, to say the least, he doesn't possess the necessary qualifications for congress.

You will note that the vacancy under the above law is a vacancy created by death or otherwise after the commencement of the congress to which the vacating member was elected.

Burkett was the vacating member. He resigned in January and did not qualify as congressman at all. In that congress the first district had no member. Mr. Burkett was qualified and answering roll call over in the senate chamber. Therefore Mr. Pollard was not elected to fill a vacancy created after the commencement of congress.

That session of congress, and Mr. Burkett was elected to that term, commenced March 4th. On that day Burkett qualified as United States senator. The vacancy existed at the commencement of congress and was not "created after the commencement of congress."

Look at the law a little further. It says, "the person elected or appointed to fill it" (the vacancy) "shall be compensated and paid from the time that the compensation of his predecessor ceased."

The salary of Pollard's predecessor never ceased for the very good reason that it never commenced.

He had no predecessor in that congress. Burkett never drew a dollar as a member of that congress. He was drawing a salary for all of the time between March 4 and July 18 as United States senator. Consequently the law cited by Pollard's friends as sustaining his grab is exactly against him.

Fortunately the United States supreme court has construed this section. This court says it means just what every man with ordinary intelligence knows upon reading it. We quote the following from the case of Charles H. Page vs. United States cited in 127 United States supreme court reports at page 69:

"The proper construction of sec. 51 of the Revised Statutes in regard to a vacancy in congress, is that the predecessor of the person elected must be a person who was the predecessor in the same congress."

Under the law Pollard would have been entitled to salary only from the time his predecessor's salary ceased. The supreme court says that that predecessor must be his predecessor in the same congress. If Burkett had qualified as a member of congress on March 4 and had served say, until June 1 and then resigned, Pollard would have been entitled to salary from June 1 for the reason first, that Burkett having qualified he was Pollard's predecessor in that congress; second, Pollard would then be entitled to salary from the time the salary of his predecessor ceased, or from June 1.

As it is however, Pollard had no predecessor in that congress. There was created no vacancy after the commencement of congress. The salary of Pollard's predecessor never ceased because he had no predecessor, and Pollard was entitled to salary only from the date of his election. But he drew a congressman's pay for four months before his election.

We have gone thus fully into this unfortunate matter because the county convention meets next Monday and we believe the party is entitled to know the facts before acting. Mr. Pollard is asking for an instructed delegation and it is for the party in the county to say whether he is entitled to it or deserves it.

We believe Pollard ought to put it back.

## Death Record.

Early Thursday morning, July 26, 1906, the soul of Mrs. Ellen Davisson shed its earthly garment and at 5:30 o'clock wended its way to the pure, ethereal Home beyond the Tomb. Mrs. Davisson had been ill for some time but it was not thought to be so serious. Her demise causes sorrow not only to the immediate relatives but to a large circle of friends.

Ellen Wilson was born in Lawrence in 1834 where she passed her girlhood days. At the age of eighteen years she was united in marriage to Nathaniel Davisson. The young couple resided at that place until the year of '65, when they moved to Platt County, Missouri, where they enjoyed excellent success. In the spring of '67 Nathaniel Davisson and wife moved onto a farm four miles south of this city, making her residence there of thirty-nine years in duration. Eight children came to make glad the married life of this worthy couple, all of whom are living with the exception of one son, J. C. Davisson who died eight years ago at Cripple Creek.

The life of the Davisson family was extremely pleasant, only love and sunshine finding an harbor beneath the home roof.

But sometimes the sky must be darkened and twenty-three years ago the husband and father passed Death's portals.

Mrs. Davisson by her loving care made the home still bright. She was an excellent woman and won the love of a host of neighbors, friends and acquaintances, and at the Call of the Reaper her star melted into a bright and beautiful west. She leaves three sons and four daughters: Mrs. Mary Jones, of Hickman, Nebr., E. J. Davisson living north of Sabetha, Mrs. Carrie Russell, living south of Axtell, Mrs. Carrie Bunch, near Morrill, Joseph Davisson, Oswego, Kansas, and Frank Davisson an invalid at Excelsior Spring, Mo.

Mrs. Tabitha Ellen Wilson Davisson was born June 23, 1834 in Lawrence County, Ohio and died July 26, 1906 at her home four miles south of Falls City, Nebraska, aged 72 years 1 month and 3 days. Funeral services were conducted at the home, Saturday afternoon, July 28th, at 2 p. m. Rev. W. T. Cline having charge.

Interment took place at the Steel Cemetery in the presence of one of the largest funeral concourses we have ever witnessed.

Just fifteen minutes after the clock had struck the hour of four, on Saturday morning, the soul of Clara E. McNamara passed from its earthly home.

We know that some time, some where we shall see the hands beckon us to that now shadowy land, and so thin is the veil between the mortal and the immortal that the "whispers of God can be heard by the children of men." Some times it seems that the wrong thread is broken, that possibly we could have chosen a life that would have caused less mourning, but we only surmise a failing thought.

Surrounded in childhood by the purifying influences of a good home, growing up to womanhood with bright opportunities and finally being crowned with the love of a good, honest man, Clara seemed to be

thrice blessed with earthly pleasures. She enjoyed a large circle of friends on account of her kindly, frank and generous disposition to all of whom life is lonelier since she was taken away; the mother who has been called upon to part with her beloved daughter whose way she has guided from the first faint infant cry, on through lisping childhood, to the loving councils of womanhood; the husband who has been bereft, after four short happy years of wedded life and now looks with saddened heart on the broken earthly paradise. The two little girls will never know mother's tender love and care. Other hands may soothe and comfort but mother's are forever stilled.

Beyond the seen lies the unseen; upon the shores of time break the waves of eternity.

Clara E. McKiever was born July 12, 1872, at Petersburg, Ontario, Canada, where she lived until she was nine years of age when her parents moved to this city.

On April 23, 1902, Clara E. McKiever was married to John L. McNamara of Chicago, they leaving immediately for the pretty home he had prepared in that city.

To this union were born two daughters, Alice, now three years old, and little Louise, aged eighteen months. The mother and children came about the first week in July for a visit with her mother, Mrs. Mary McKiever, in this city.

Two weeks ago Clara was taken ill and on Tuesday, July 23, the husband was telegraphed and came the following day, being with her constantly until the end.

Clara McNamara died July 28, 1906, aged 34 years and 16 days.

Funeral services were conducted by Rev. Bex from the Catholic church at 10 a. m., on Monday, July 30th. Interment was in the Catholic cemetery two and one-half miles east of this city.

To the sorrowing and stricken husband, bereft so soon of his wife and companion, leaving his home so completely shattered; to the little girls who will never more hear mother's gentle voice so full of love; to the mother who has lost her eldest daughter whom she watched so tenderly in her life from the cradle on; to the sister and brothers in their sadness and grief we extend the sympathy of true friends.

Among the out of town people in attendance at the funeral were: Leo McKiever, Tom McNamara, Mrs. P. D. O'Brien and son, Bert, Maybell Clark, all of Chicago; Mrs. Ellen King, Mrs. L. L. Lohr, of Omaha, Mayme and Tom Riley, of Dawson; Anna and L. A. Ryan, jr., and L. A. Ryan, sr., of St. Louis.

Early Wednesday morning occurred the death of Mrs. Fredricka Weinert at the home of her daughter, Mrs. Fred Scholl. She was taken ill very suddenly on Tuesday, living but a few hours after the first symptoms of illness.

Mrs. Weinert is well known in this city and surrounding country having lived near here for many years.

The deceased was quite aged being 73 years, 9 months and 19 days old when the messenger extinguished her life flame.

Funeral services were held from the Fred Scholl residence north of this city, Thursday, August 2, 1906, at 1 p. m.