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MADISON COUNTY GENEALOGICAL SOCIETY

# NEWSLETTER

P. O. Box 1031

Norfolk, NE 68702-1031

VOLUME 12 - NUMBER 46

JANUARY, 1991

2ND QUARTER



*Happy New Year 1991*

### FROM THE PRESIDENT'S DESK

We now have taken another step into the 90's, leaving behind all the glitter and hurried days of preparation celebrating the Christmas holiday. We can now enjoy quiet moments and return to our never ending enjoyment of researching for an unknown ancestor.

We have recently added the following books to our library:

- Library Collections
- Surname Index
- Early Pioneers of Nebraska

These three books are published by Nebraska State Genealogical Society.

May each of you have a delightful time discovering new bits of information to be added to your family histories during these winter months.

Sincerely,

*Lottie Klein*

Our sympathy is extended to Betty Arens in the loss of her husband, Jim Arens, who passed away Jan 9, 1991, and was buried on January 11, 1991.

### MADSON COUNTY GENEALOGY OFFICERS - 1990-91

President	Lotti Klein	Vice Pres	Ardith Logan
Secretary	Dee Sewell	Treasurer	Donald and Dorothy Monson

### COMMITTEES:

Program	Joan Moody and Ardith Logan
Newsletter	Joyce Borgelt and Jeanne Allison
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# UNION

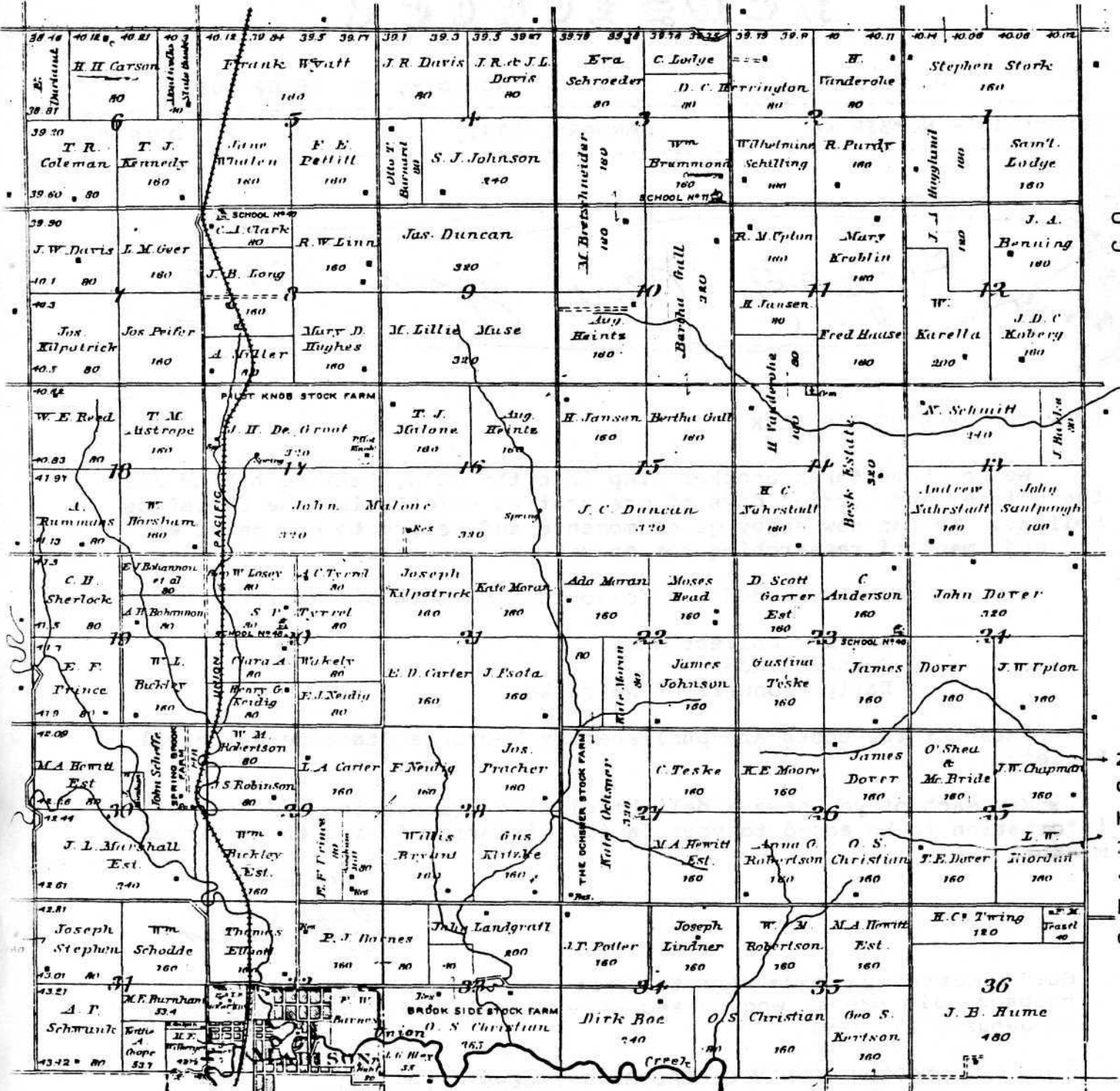
Scale 2 Inches to the Mile.

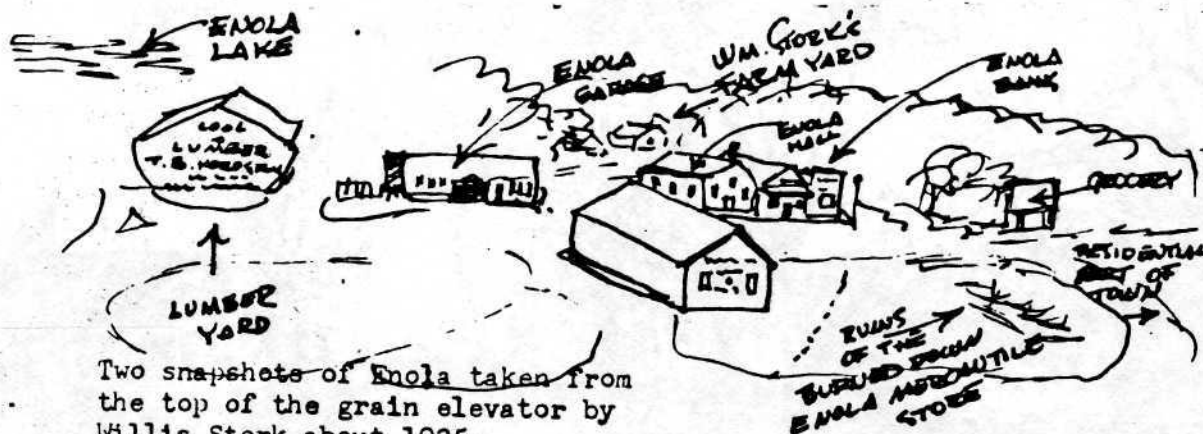
Township 22 North. Range 1 West.

of the 6<sup>th</sup> Principal Meridian.

## W A R N E R V I L L E

## P R E C I N C T





Two snapshots of Enola taken from the top of the grain elevator by Willis Stork about 1925.



Enola Nebraska about 1925

**Enola is having Post office problems** Enola, a town of about thirty inhabitants is having post office troubles, the office of Representative Karl Stefan (R. NE) reported today.

Postmaster Bell Allberry resigned five months ago. The post office department hasn't been able to find a successor because nobody seems to want the job. The resignation has not been accepted. The store building that housed the post office has since been sold.

When the postmaster general's office inquired about the post office's new location, Mrs. Allberry replied "It's on Mrs. A. O. Allen's back porch."

From Norfolk Daily News, 4 Sept. 1947, pg 1

**ENOLA** is one of the more recent villages established in Madison County. It was founded between thirty-five and forty years ago by Thomas J. Malone. It is a grain shipping and trading point on the Union Pacific between Norfolk and Madison. It has a grain elevator, a fine high school and several business houses.

From Early History of Norfolk, NE and Madison Co, Edward Albert Landgraf 1856-1900

**ENOLA** was named for its founder. T. C. Malone. Mr. Malone's name was spelled backwards, with omission of the m, in order to form the name of the town.

Nebraska Place-Names by Lilian L. Fitzpatrick, 1960

**ENOLA** Census not available. Post office established January 22, 1906; discontinued December 31, 1909. Town named for founder T. J. Malone (spelled backwards with the "m" eliminated). This device prevented confusion with another Malone in the state.

Perkey's Nebraska Place Names by Elton A. Perkey, 1982



**DOWNTOWN ENOLA** — Looking north on Enola's main street toward the main intersection of town, the Enola Bank building is on the right and grocery store building on the left. Both are now closed. In

the background are the elevator and grain bins of the Enola Grain Co. The original elevator and railroad siding built by Thomas J. Malone gave the town its start.

**'T. J.' STARTED IT**

Norfolk Daily News - 1972

# Enola Hanging in There

By GLEN BOWKER

A recent study noting the 900 ghost towns in Nebraska brought forth the story of Warnerville and its demise and the similar fate of Emerick, Kalamazoo, Peck and South Norfolk, in Madison County.

One small village seems to have beaten the odds, however, with a remnant of main street, a cluster of occupied buildings, and two business places remaining intact.

The town is Enola, a quiet village of 23 located nine miles south and two miles west of Norfolk.

Frank Malone, Madison, an Enola-ophile, supplies the information that his uncle Thomas J. Malone (better known as "T. J.") founded "the best little town in Nebraska" in 1905.

**GRAIN BUSINESS**

It all began when T. J. Malone's son Fay decided he would like to go into the grain business. The family was living in Omaha at the time, but owned land north of Madison on the Union Pacific line.

According to the account, the elder Malone prevailed upon the railroad to build a siding on the Malone land so young Fay could learn the commission business from the ground up — by running an elevator in Madison County.

This done, T. J. went to Canada to look after other land interests, dispatching his wife and son to Madison County where a new house and elevator were finished in December, 1905.

**A NAME**

Meanwhile, railroad officials in Omaha were wrestling with the problem of naming the settlement and came up with Enolam — which is Malone spelled backward and was no doubt a clever ploy in 1905.

Enolam had a funky sound, however, so it was decided to drop off the M and — Enola!

In 1906 the U.P. moved a depot from Warnerville to Enola; Ernest Defenderfer opened a general store and Frank Tobola a blacksmith shop.

Alvin Bean built the Enola garage in 1907 and also operated

the light plant. A cafe and confectionary was opened by Charles Chlorine in 1908 and was joined by the Post Office with Bill Stork, as postmaster.

Houses were built and farmers lined up at the elevator to unload their grain. A bank was formed in 1914 by Bert McGinnis, Frank Wright and R. Martin. A grocery opened under the ownership of Wilber Beal in 1915.

Enola had become the home of the Enola Sluggers baseball team, three of whose members are living today. They are Steve Lyon, Madison, and Frank and Jim Malone, Hollywood, Calif.

**SATURDAY NIGHT**

A dance hall was built where Saturday night dances were held and ice skating was the winter sport for the gay blades on Lake Enola just east of town.

Those who would tittle were forced to look elsewhere, however. Shortly after the town was founded, T. J. was asked if it would have a tavern. "No," he replied, "but we do have four good wells."

Each August a community

celebration known as Enola Day was held and T. J. would always try to get back for the occasion and was "sure to make a speech." Other entertainment included boxing, horse racing and footraces.

Area pioneers included Jake Horner, the father of the Madison County watermelon industry, who first marketed melons about 1894. He was followed by Israel Miller and Anton DeGroot, Israel's son. Fay, is still in the melon business.

DeGroot is also remembered for his apple orchard, as is Ray Purdy.

**PILOT KNOB POET**

Jerry Long, a Civil War veteran, was known locally as "The Pilot Knob Poet" but apparently none of his lyrics survived him. Pilot Knob is the highest point in the county, located a mile south and a mile east of town.

A roll of businessmen would include: Renner and Stork, Howard Varner, Rowlette's, Tom Miller, Cal

Haskins, Rupert Anding, George Meyers, Merl—Cubbison, Chandler's, Elmer Dickerson, Horace Haskins, Tom Pojar, Walter Walters, Otto Drake, Charles Piskac, Wilber Street, Alberry's and many more.

The general store burned in 1922 and was never rebuilt. In 1926 the bank closed, but its brick building remains. The Post Office was discontinued in 1957 and the garage building now houses the honey business of Richard Peterson. T. J.'s elevator survives, having changed hands several times.

Despite having had no factory or industry and probably never having surpassed 50 in population, the town survives. The kids may have been greased for Enola for 50 years, but the town remains — with hardly an empty house. Why?

Frank Malone, who prepared a thumbnail history of the town with the help of Marie Linter, Fay Miller and Millie DeGroot, may have offered a clue in the title of his piece.

When asked the meaning of the heading "Enola (Best little town in Nebraska)," he answered simply, "Well, that's what it is."

If points are given for tenacity, he may be right.

Enola High School 1938

### Seniors

Mary Matheson  
Lyle Timperley  
Eldon Brom  
Robert Dietz  
Myron Dover  
Charles Funk  
Lee Wolff

### Juniors

Helen Black  
Ileane Dietz  
Leland Harsch  
Orville Harsch  
Jean Linn  
Donald Matheson  
Kenneth Matheson  
Margaret Miller  
Frank Nykodyn  
Charles Pojar  
Earl Renner

# Why Did Gram Scold Neighbor Woman?

By ALICE LEFFLER

Les Miller, now living in Los Angeles, brought a manuscript of early days in the Enola vicinity back with him which will be of considerable interest to many Madison County pioneers.

He is the son of the late Israel Miller, nephew of Jim Miller, Pierce, Scheffie Carter who, 40 years ago, lived on the Bob Rice place near Enola; Vern Cowland, Madison, and brother of Dave Miller, Madison, and Harold and Fay of Enola.

### REMINISCENCES

The first chapter is filled with jotted down reminiscences of his childhood in this manner:

A little cast iron bank I had that had a baseball pitcher, batter and catcher. Cock the pitcher's arm back, put a coin in it and as the lever was tripped, he would throw the coin into a little trap door in front of the catcher. Our old dog, Towzer, yellow with short hair, the old music box with paper rolls which made music similar to an organ grinder.

The only time I remember grandmother scolding any one. A neighbor woman tied her baby to a tree with a string around its neck. Mother nursed me until after I could talk. I'd tell her, "Uvver side, mama"...

Sheller being run by horse power, Harve Carson on the platform, driving four teams round and round, the only time I ever saw a horse power of more than one team...

Ot Carson bringing the two Mavis girls to our house one evening to visit and, just a few days later, getting his arm caught in a corn sheller and causing his death. He was the first

person to die I had really known...

### IN COVERED WAGONS

Uncle Jim Hinton's stopping by for a few days from Brunswick to Holyoke, Colo., in covered wagons, with all their stock and what household goods they could haul. They finally landed in Oklahoma... I remember Mr. Morgan buying Uncle's 40 and John Simpson and Joy Morgan getting married, and the chari vari gang...

The Warnerville Ladies Aid. Mesdames Morris, Horner, Terry, Warner, Reed, Simpson, Varner, the two Mrs. Pettitts and many others...

A man whose hat blew off at Enola into a mud puddle. He was so drunk that when he stooped to pick it up he fell face into the water and didn't know enough to get up. Mr. Varner got to him in time to save him from drowning. The bank at Enola and two stores...

Mr. Diefenderfer's Mitchell, the first car I ever saw. The back seat was portable and the two passengers faced each other. Other cars of that era included: Uncle's Fuller, Rowlett's Maxwell, Rudy Pojar's Briscoe. The Metz family had a Metz and Donners a Hudson super 6; Nate Rowlett, a Buick; Bill Diets, Columbia; Herman Mavis, Brush that cranked on the side; Elmer Best, an Oakland; Varner, Sampson; Wynn, a King Eight; Van Crow, Elkhart; Linn, a Starr; a man in Norfolk owned a Gray. Our first car was a Ford touring.

### DROVE 7 MILES

We gave the Ford a tryout the first night, going seven miles to Uncle Dave's. A half hour after we arrived, our dog Tip came

into the yard. We gave him a ride home, but he never again followed the car.

The first money I ever earned away from home was for trapping. I got 3 cents each for gophers and 5 cents for squirrels. I made 57 cents...

A neighbor killed himself by diving off the windmill... My first funeral, that of Mrs. Ezekiel Rowlett. I could almost say the entire sermon from memory. Bob Linn got the first auto hearse in Madison.

Uncle and dad bought the Bove farm. So many cockleburrs. The boys and I cut burrs for years. It seemed... I remember the time we dug out a mother skunk and her seven babies with our hoes. Our dog Tip got so sick and mother wasn't going to let us in the house...

### SWEET POTATOES

Getting sweet potato plants from Mrs. Tim Kennedy, making a ditch and ridge, carrying water and covering with tin cans. The dreaded days of potato planting and digging, a family project including even mother — butchering day, with the hoisting pulley near the wind mill...

My first day at school and the following pupils: Clarence, Lloyd and George Rowlett, Ethel Varner, Willie Woodworth, Millard and Madeline Bateman, George and Carl Wynn, Bertha and Gusie Mavis, and Bert Rowlett a few weeks in the winter. The teacher was Miss Hazel Bryant.

I liked her, but didn't like the next teacher and tried to quit school when Hazel left. I liked all my other teachers who were, in order: Mary Noble, Rose Kost, Zella Ward, Hazel Fentress (2 terms) and Madge Plass. I went a few months after I had passed the eighth grade and Mabel Pettitt was the teacher... Spell down: ciphering down; our ball, (cut from a dumb-bell) hit me and I was knocked out; frozen lunches.

From Norfolk Daily News 1963

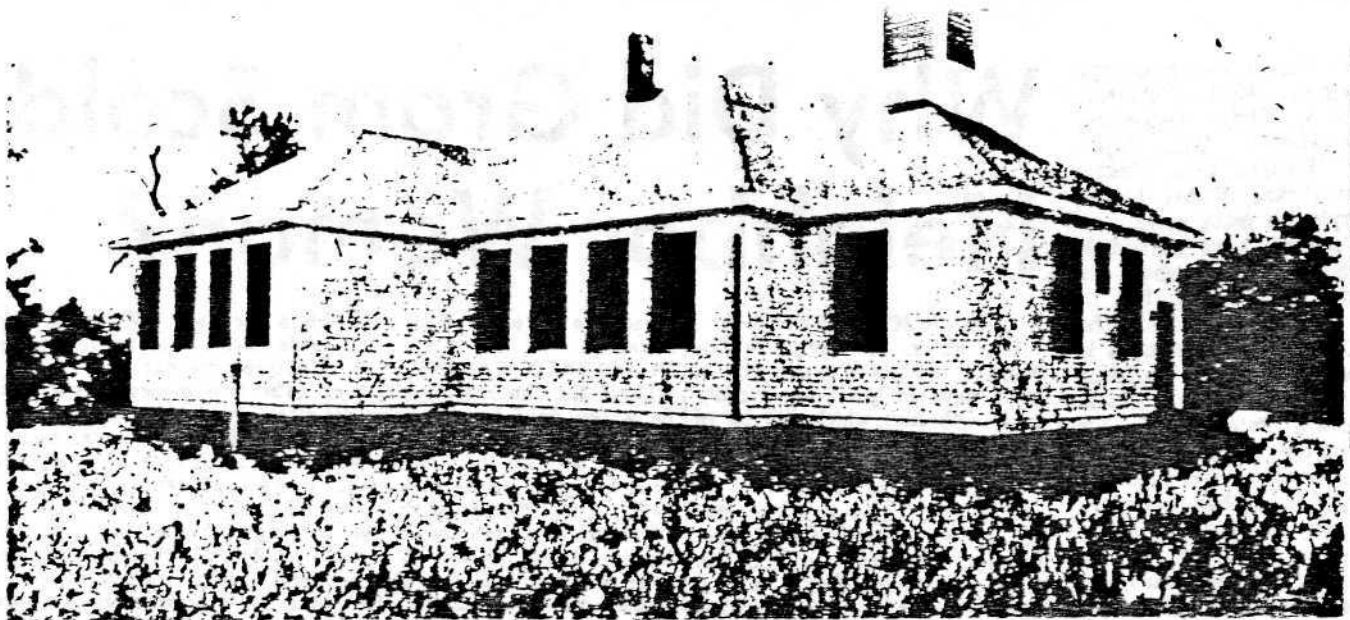
### THAT'S NOT MY JOB

This is a story about four people named Everybody, Somebody, Anybody and Nobody. There was an important job to be done and Everybody was sure that Somebody would do it.

Anybody could have done it, but Nobody did it. Somebody got angry about that, because it was Everybody's job. Everybody thought Anybody could do it, but Nobody realized that Everybody wouldn't do it. It ended up that Everybody blamed Somebody when Nobody did what Anybody could have.

### Today in Nebraska

1848 — Fort Childs was renamed Fort Kearny in honor of Brig. Gen. Stephen W. Kearny, who had died a year earlier.



The old Enola High School now operates as a grade school drawing students from the surrounding area. Norfolk Daily News July 10, 1980

# Alumni of Enola High School Look Forward to 1st Reunion

By LENA BRAUN  
News Correspondent

ENOLA — Saturday, July 26, will be a red-letter day for the Enola community as former students of the old high school gather for the first time.

High school doors closed in 1945, with no organized reunion in the intervening years.

But that situation will be remedied by the 7 p.m. gathering at King's Ballroom in Norfolk. All those who attended Enola High School, as well as graduates, have been invited to the banquet.

The tiny unincorporated community, located about 10 miles southwest of Norfolk, is itself experiencing somewhat of a rebirth with the recent opening of the multi-million-dollar Koppel Inc. grain elevator.

In making preparations, reunion chairmen Doris Linn Kouba of rural Meadow Grove (class of 1941) and Charles Pojar of rural Madison (class of 1939) searched school records and obtained names of 200 former students, 90 of whom are graduates.

They were able to get addresses for all except three. However, records were not complete, so some names were not available.

A FORMER HIGH SCHOOL teacher, Robert Templin of Mesa, Ariz., will be the banquet speaker. He taught at Enola from 1936 to 1938.

Reservations, due July 15, have been received from people in 11 states, including Alaska. Mrs. Kouba expects at least 150 former students to attend.

Although alumni members had mentioned many times during past years about getting together, nothing was done about it.

Last fall Pojar and Mrs. Kouba started making plans and sent a letter to former Enola students, outside of the immediate community, announcing the July date. Last month a second letter was sent with details of final arrangements.

"It's a dream come true," Mrs. Kouba says.

There was some talk about having a dance, too, but that was squelched so there would be plenty of time for visiting and renewing old acquaintances, she said.

"We figured some people are coming a long way and haven't been together for over 40 years," she said. "We wanted to have an opportunity for them to visit and you can't do that too well if you have a band going."

THE FIRST COMMENCEMENT was held May 24, 1916, with three students graduating from the 10th grade. A few years later, 11th and 12th grades were added and the first four-year high school commencement was in 1926 with eight graduates.

Classes averaged about five students and the class of 1939 was the largest with 11. Eleventh and 12th grades were discontinued in 1944, when Dorothy Anderson Kinkle and Irene Turley Chapman were graduated.

Ninth and 10th grades continued one more year until 1945 when the high school was discontinued.

Planning the alumni activity for the school was a meaningful project for Mrs. Kouba. Her mother, the late Eloise Fichter Linn, was a member of the first graduating class in 1916. Her father also attended the school, as did her brother and sisters and her husband, Kenneth Kouba.

The settlement of Enola was started by I. J. Malone and son. His name was spelled backward, with the "M" omitted, and the town was born.

THE ORIGINAL SCHOOL was the typical one-room early day school house. Later, a new building was erected and when the high school grades were added, so was a new addition. The school reached four rooms and four teachers before its demise.

Students in kindergarten through eighth grade still attend the Enola grade school, which predates the founding of the community.

# District 47 soon to be dismissed in Enola

By DIANE BECKER  
News Correspondent

ENOLA — The last day of classes will be May 18 at the Enola District 47 School, which is merging with District 48 after a successful petition effort by school district residents.

Located nine miles south of Norfolk on Highway 81 and two miles west, the district was formed in 1877. But not until 1907 did Enola children have their own school.

According to Fay Miller, longtime Enola resident, the second school building was constructed in 1913, followed by an addition in the late 1920s.

In 1926, the first class of 14 students graduated from Enola High, she said. The high school closed in 1945.

Irvin Bove of Madison, head of the Enola High alumni committee, said there are about 200 members of the group. Three years ago 140 members returned, including one from Alaska and one from Florida.

Many alumni still live in the Norfolk area. Not all the students were able to graduate, though.

"Not many farm boys graduated back then. I had to stay home two to three months of the school year to pick corn," Bove said. "But Enola was always considered a good high school. It had good teachers."

The school had its own junior and senior class plays, senior banquets, a baseball team called the "Pumpkin Rollers" and both girls' and boys' basketball teams, which competed against other rural districts.

"A lot of the children rode horses to school," Miller said. "One family in particular rode 3½ miles to school in any weather, sometimes at 10 degrees below zero."

A barn, since moved to an area farm, kept the horses out of the elements during the day. Many students walked to and from school. Others stayed with Enola residents during the school year.

Big events included the annual Christmas program, held in the school basement on its cement stage, and spring picnic. Even this year, District 47 residents received hand-written, decorated invitations to the Christmas program and spring picnic.

Three generations of the Funk family have attended, starting with Jerome Funk of Madison in 1936, when there were four teachers and 53 pupils.

The only changes the elder Funk noted in the school after 50 years were concrete steps that replaced the wooden steps he used to walk up and an indoor bathroom in place of outhouses. A new roof was added in 1979.

Jerome's son, Norm, of Norfolk attended District 47 through the eighth grade.

"At that time there were two teachers and about 45 kids in school," the younger Funk said. "The lower grades were in the south end and the upper grades in the north end. I had six kids in my class and about five different teachers throughout those years."

Norm Funk, the District 47 treasurer, and his wife, Sheri, headed the petition drive that merged Enola with District 48.

"I felt the school was getting too small. Some of the kids, including mine, were the only ones in their class — not the best education environment. I also felt a two-teacher school would definitely be better for the kids, as one teacher could concentrate on fewer grades," Funk said.

Janet Johnson teaches the 11 students at Enola who range from kindergarten to seventh grade. She also is in charge of playground and janitorial duties.

"I've really enjoyed working with the people out in this community and their kids," Mrs. Johnson said. Though offered a position at District 48, she decided to find a teaching job closer to her Norfolk home.

Other instructors are Betty Kumm of Norfolk, who teaches special education; Teresa Schaecher of Madison, a special education aide; and Charlotte Wagner of Madison, part-time aide and music teacher.

The Funks' triplets, Eric, Kristy and Shanna, age 6, attended kindergarten half days as the only students in the class. Families of Glen Osborn Jr., Pat Prather, the late Milton Ainsworth and Roger Acklie make up the rest of the enrollment.

Acklie, District 47 board president, had opposed the merger.

"I think it's too bad it's closing. It offered a good education, and we consider it a great loss. We're not sure where we'll send our girls next year," Acklie said.

Daughters Heather, fifth grade, and Amber, second grade, attend the school. Dawn, an eighth grader, attends Trinity Lutheran School in Madison.

According to Doug Jensen, Madison County school superintendent, all the school's equipment will become property of District 48 as of June 1. This includes the library, VCR, television, desks, school building and land.

"The merger was financially a good move," Jensen said. "The building did not meet fire safety standards. It needed repairs and the school was declining in numbers."

Seventy-one percent of the district's eligible voters signed the merger petition.

"They're building on at District 48. This is one approach to use that allows people to retain rural education even in light of declining population," Jensen said.

Jim Reeves, District 48 board treasurer, agreed that the merger was a good idea.

"We'll have a \$25 million tax base with District 47 and District 91 merging with our district, so our property taxes should decline over the years," he said.

An addition and full basement will take up the extra tax money the first year. Two teachers, Denine Cook and Judine Abels of Norfolk, will be in charge of the 30 students anticipated.

"We'll use what we can from the other schools, like desks or books, but will sell excess supplies in auction," said Reeves. "We'll determine at a later date when to have an auction to sell the land and building."

The alumni reunion is scheduled July 23 at the Elks Club in Norfolk. More information is available from Bove, Lyle Timperly of Norfolk, or Clarence Hintz of Madison.

Norfolk Daily News - April, 1988

We thank Doris Kouba, Meadow Grove, NE., for all of the Enola information.

Madison County Genealogy Society, Members, 1990-91

Jan. 11, 1991

Member name City	St	Zip	C	Address Phone
Ahrens, E. J. Norfolk,	NE	68701		309 N. 13th Place 371-5029
Allison, Laura Albuquerque	NM	87106		1501 Girard Blvd SE
Anderson, Aage Norfolk,	NE	68701		106 Walnut Ave. 371-9237
Barlow, Joyce E. Osmond,	NE	68765		Box 134 402-748-3429
Bathke, Mamie Norfolk,	NE	68701		407 N. 13th St. 379-2056
Borgelt, Joyce Battle Creek,	NE	68715		Rt. 1, Box 188 675-3665
Charboneau, Arlene Springfield,	OR	97477		171 N. 18th St. 746-5371
Coover, Eunice Tilden,	NE	68781		P. O. Box 395 368-5509
Craig, Lois Madison,	NE	68748		Box 816
Edens, Marlene D. Menomonie,	WI	54751		Rt. 1, Box 264 715-235-2942
Fuhrman, Marjorie Norfolk,	NE	68701		1215 Meadow Drive 371-3805
Hyatt, Deborah Norfolk,	NE	68701		Rt. 2 379-1259
Johnson, Mary Norfolk,	NE	68701		1327 Hayes
Johnson, Robert D. Roswell,	GA	30075		4361 S. Smoke Rdg.Ct 404-998-3145
Klein, Lottie Norfolk,	NE	68702		P.O. Box 122 402-371-9525
Logan, Ardith Norfolk,	NE	68701		814 S. 9th St. 371-2920
Lyon, Harold J. Norfolk,	NE	68701		604 S. 14th St. 371-2589



Master, Dale and Jean Norfolk,	608 E. Bluff Ave. NE 68701 371-2902
McKeehan, Ann E. Hacienda Heights,	2337 Kwis Ave CA 91745
Monson, Don and Dorothy Norfolk,	Rt. 4, Box 57 NE 68701 402-371-4270
Moody, Joan Norfolk,	503 N. 10th St. NE 68701 371-3713
Northern Antelope Genealogical Soc. Norfolk,	P.O. Box 122 NE 68702
Nykodym, Gilbert and Edna Norfolk,	Rt. 4, Box 210 NE 68701 371-4357
Plisek, Bob R. Norfolk,	810 Volkman Drive NE 68701 371-3468
Prange, Jennifer J. Lincoln,	1521 S. 8th St. NE 68502 476-7474
Rape, Ann M. Grand Island,	3219 W. 18th St. NE 68803 308-384-3661
Sewell, Dee Norfolk,	RR 2, Box 208-A NE 68701 371-0472
Stortvedt, Leatta Norfolk,	717 E. Norfolk Ave. NE 68701 371-7343
Voecks, Shirley Norfolk,	219 Miller Ave. NE 68701 371-8530
Wattier, Susan K. Randolph,	RR 1, Box 225 NE 68771 402-337-0138
Weigert, Dwain Wausa,	Rt 2, Box 86 NE 68786 586-2774
Benjamin, Pearla Wayne	127 Maple Street NE 68787 375-4463

The Norfolk Public Library news:

They now have the AGLL (American Genealogical Lending Library) Catalog on microfiche which lists census records, military records, ship passenger lists, state locality listings, etc. This microfilm can be ordered for \$2.50 plus postage for each roll. The Microfiche Catalog is updated yearly.

## SOCIETY TOLL-FREE NUMBER

Toll-free access to information about Nebraska history is now available by dialing 1-800-833-6747. The call will put you in touch with the Museum of Nebraska History, the state archives and reference services, the State Historic Preservation Office, and the Society administrative office. School teachers will find the number particularly helpful in arranging tours of the museum.

Funding for the toll-free line was provided by a grant from the Institute of Museum Services.

## MOVING IMAGE COLLECTION

Films transferred to videotape now include a short film showing the raising of "The Sower" to the top of Nebraska's capitol; several clips from the 1930s showing events in Lincoln, Fremont, Orleans, and Oxford, Nebraska; and the NBC-TV "Today" program's bicentennial salute to Nebraska in 1975.

To arrange to view these videotapes or to donate additional Nebraska footage, contact Paul Eisloeffel at (402)471-4750.

## NEW ISSUE OF NEBRASKA TRAILBLAZER

The latest issue of Nebraska Trailblazer, the Society's newspaper for fourth-graders, is now available. The subject is Nebraska state symbols. If you would like to receive a copy, please send a self-addressed, stamped, business-sized envelope to Nebraska Trailblazer, Dept. 4-1, Nebraska State Historical Society, P.O. Box 82554, Lincoln, NE 68501.

Five additional issues of Nebraska Trailblazer will be published during the 1990-91 school year.

## PUBLICATIONS

Sokol Special II Cookbook, compiled by The Sokol and Czechoslovak Museum of Sokol South Omaha. Cost \$13.72 including tax and postage. Order from E. J. Pavoucek, 2306 Jefferson, Bellevue, NE 68005.

The Franciscans in Nebraska, by Francis Dischner, reprint of the 1931 edition. Includes family data, reminiscences, index, and illustrations, 612 pp. Cost \$39.95 plus \$4 mailing (Nebraska residents add \$2 tax) before December 1; \$49.95 plus \$4 mailing (Nebraska residents add \$2.50 tax) after December 1. Order from Nebraska State Genealogical Society, Book Reprint Dept., P.O. Box 5608, Lincoln, NE 68505.

## REFERENCE DEPARTMENT

### SUNDAY HOURS FOR REFERENCE DIVISION

Beginning October 14 the library and archives will be open Sundays from 1:30 - 5 P.M. There will be some limits on service but library materials, microfilm, and self-service copying will be available. Sunday opening will not be observed on Sundays preceding a Monday state holiday. For information contact Andrea Paul at (402)471-4785.

### STATE ARCHIVES NEWS

Keamey County District Court naturalization records, 1872-1929, are being microfilmed. Microfilming of Buffalo County naturalization records has been completed. A new exhibit on the first floor of the Society headquarters features Nebraska's court system, 1854-75, with emphasis on research information available in court records.

### Family Trails

#### By Lesta Westmore

Beginning today, the Nebraska State Historical Society will be open from 1:30 p.m. to 5 p.m. Sundays. This service will be offered on a trial basis, and will be continued if the response is favorable.

Staff will be limited, so archival material is available only during regular weekday hours.

The library and microfilm room will be open, but the building will be closed on the Sunday before all Monday holidays, plus the Sundays before Christmas and New Year's Day.

The archives building is at 15th and R Streets in Lincoln. Displays at the museum at 15th and P Streets also are open Sunday afternoon.

Groups of six or more people who would like to arrange for a weekday tour of the facility should make arrangements, verify weekend hours or obtain more information by calling (402) 472-4771.

Genealogical societies and other groups who want to take advantage of weekend hours may be able to find an experienced researcher within their group who can act as guide. Such groups should meet before the tour to become familiar with available services.

## THE OPEN RECORDS QUESTION

The topic of open vital records has been reopened by members (of Lincoln Lancaster Geanealogy Society) and also in the public forum statewide. In late November, State Attorney General Robert Spire issued the opinion that under present statutes, birth and death records must be available to the public in the same way as other public records. He stated that reasonable restrictions for the orderly conduct of state business and security of information protected by specific statutes, were exceptions to this availability. Spire's opinion reverses two previous opinions issues in 1986.

Under current Health Department practices, Nebraska genealogists can obtain certified copies of their ancestors' or immediate family's records by paying a small fee and providing sufficient data so that the record can be located. Although this leaves voids in one's family history, it has been somewhat satisfactory for some researchers. But there are major exceptions.

Genealogists are denied records for family members that are not direct ancestors and those who are not dead over 50 years.

Genealogists can not search Nebraska records themselves under any circumstances. If a date is vague or a name misspelled, there is no way for the genealogist to know how thoroughly the records were searched. The vital statistics office will do a second search if the first search is unsuccessful. But there are no refunds for unsuccessful searches.

Professional genealogical researchers have problems also. In order to obtain information from Nebraska vital records, it is necessary to present a letter of authorization from the client. Often the client, relying on the expertise of the professional, can not provide much information or direction. This situation requires frequent letters or phone calls and slows down research.

Finally, much genealogical research is open-ended. Genealogists have been known to scour records front-to-back and back-to-front to find whatever clues may exist. We want records to obtain more information. But the catch in Nebraska and some other states is that records are unavailable because we do not have information.

Some states recently have made more information available from their vital records. Old records have been opened in Texas and California. Indexes for a number of states have been microfilmed at no charge and made available through the Church of the Latter Day Saints. Nebraska was approached at one time by the Mormons but did not permit a local microfilming project.

The open records issue has not been considered by the Nebraska Legislature since 1981. Following the lead of Attorney General Spire, the stage has been set for some positive changes to be made. As individuals, Nebraska genealogists are encouraged to contact their state senators and express their interest. --Marcia Stewart, President

The above article was reprinted from LLCGS Newsletter, Lincoln, NE, Vol.14, #12, Dec. 1990.

EDITOR'S NOTE: Please consider contacting your state senator about the Open Records issue.

# Spire Reverses, Says Birth, Death Certificates Public

Lincoln (AP) — Birth and death certificates must be made available to the public, including the news media, Attorney General Robert Spire said Wednesday.

Spire's opinion reversed two previous positions taken by the Attorney General's Office.

Spire said that under present statutes, birth and death records must be available to the public in the same way as other public records.

### 'Reasonable Restrictions'

"That is, members of the public, including the press, can review such records, free of charge, during normal business hours of the Department of Health, subject to reasonable restrictions for the orderly conduct of state business and the security of the records," he said.

The opinion also said it will be up to the Health Department to determine if

certified copies of birth or death certificates should be provided to the news media. Non-certified copies of public Health Department records are available to the public and news media, said Gregg Wright, director of the State Health Department.

Dr. Wright said the opinion surprised him and changes a longstanding way of looking at the law.

He said he is concerned that if information in birth and death records becomes too public, doctors who fill out the records won't be willing to include all available information.

### 'Very Aware'

"Physicians are very aware of the importance of keeping medical records confidential. It's important to every person," Dr. Wright said. "These are not medical records, but they are a record of a medical event. In the past, they have been considered confidential,

and I believed that helped us get more accurate information from them."

Dr. Wright said his first goal is to comply with the law, and his second is to try to protect public health information. "Hopefully these are in concert most of the time. The law can always be changed if there is a problem under current law," Dr. Wright said.

It is too soon for him to say if he will ask the Legislature to change the law, he said. That decision will depend on the goals of Gov.-elect Ben Nelson's administration, Dr. Wright said.

### Earlier Opinions

Spire's opinion reverses opinions issued by Spire July 30, 1986, and Aug. 6, 1986, that concluded that the Health Department had the power to limit news media access to birth and death records.

He said tries to review major opinions from time to time, particularly in

the area of public records and open meetings.

"In the whole area of the 'sunshine laws' there are constantly decisions dealing with those issues throughout the country. Since open government is so crucial to the entire governmental process, it is important to review the decisions we've taken, to make sure they remain correct," he said.

### News Media

Spire said he was also asked to review the opinions by various news media representatives, including attorney Alan Peterson, Gary Seacrest of the Lincoln Journal and G. Woodson Howe of The World-Herald.

"When I did the review I decided we were just plain wrong in the prior opinions, and I don't like to compound an error so I decided to correct it," Spire said.

LB 184 -- (Kristensen) Change provisions for confidentiality of death and birth certificates.

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The first mailboxes were erected in Paris in 1653. However, messengers, fearful for their livelihood, put mice in the boxes to destroy the mail