

JOHN CHARLES EMIL BURMESTER OF THE FIRST NEBASKA

How Napoleon's Invasion of Russia Set in Motion a Train of Events that Brought to Omaha Finally a Man Who Has Had Much Prominence in Business and Social Life

THE vaulting ambition of Napoleon Bonaparte which in 1812 was about to overleap itself in the disastrous Russian campaign, carried down with it into the consequent wreck the property and lives of tens of thousands of Germans. Among these was a certain well-to-do farmer living near Bannenberg, Kingdom of Hanover. He had large flocks and herds and he had seven sons. In the summer of 1812, when all of Europe, excepting Russia had been subdued by Napoleon, his army swept over Germany on its way to this last conflict, gathering strength as it went. It absorbed the flocks and herds of that farmer in Hanover and the seven sons were seized, armed and compelled to follow the imperial standards.

The magnificent army under that marvelous "Man of Destiny" never before conquered marched away with flying banners and playing bands. When it set foot on Russian territory it numbered 500,000 men. Napoleon swept everything before him and in the fall of 1812 the half million men sighted the fantastic spires of Moscow and marched into the ancient capital without a fight. It was an "enchanted city," for the Russians had deserted it with a deep-seated, crafty design that the French did not suspect. While the great army was in revelry that night flames arose. In the morning the city was hopelessly in the grip of the fire and half a million men stood on the frozen plains outside, hungry, cold and surrounded by enemies. The seven brothers were in that host of men, which immediately began its famous retreat toward the west. Harassed by flying bands of Cossacks this army, like some great wounded animal, crept back toward France. Tortured by cold and tormented by hunger, thousands fell by the wayside and other thousands were taken prisoners. When the phantom remnant of that magnificent host reached the Beresna there were only 25,000 left.

Among these was one of the seven brothers. He hastened home, where he found his parents dead and the estate confiscated. He went then to Hamburg, where he started life anew and in course of time amassed a considerable fortune. He married and saw two sons born to him. A venture in a steamship company ruined him and he died in 1853. One of his sons was destined to become a pioneer of Omaha. The son was born June 29, 1844, and was christened John Charles Emil Burmester. An old-fashioned house on Steinstrasse, a part of the city which escaped destruction in the fire of 1842, was his birthplace, and the only fact he remembers today about the place is that the date on the door jamb was "1609," the year of the erection of the house.

America Receives the Family

In 1856 the elder of the two boys—Adolph—left his brother and mother and sailed away to America. A year later word came that he was meeting with success and then the widow and the younger son decided to follow to the new world of hope. They embarked at Bremen in a sailing ship and arrived after eight weeks in New Orleans, whence they proceeded up the river to St. Joseph, Mo., where the younger brother became apprentice to a printer. The great rebellion was about to plunge the country in fratricidal conflict. Though they were in the midst of rebel environment the two brothers had no hesitation in deciding for the union. Most of the Germans in St. Joseph were Union sympathizers. But St. Joseph in 1861 was not a "healthy place" in which to express such sympathy. Minute men were coming into the city from all parts of Buchanan county and tearing down the flags from all buildings. Mr. Burmester remembers an extremely dramatic incident of those days.

The mob had torn down the flag from the postoffice, the market house and other buildings. The only place where the stars and stripes still floated was from the German Turners' hall. In this building about eighty people were gathered when the mob of 3,000 men appeared and demanded that they haul down the flag. But those gathered in the building refused.

Thrice the demand was made and thrice refused. And then when violence was about to be used a message came from Mayor Beatty requesting that, to avoid bloodshed, the flag be removed. After some more consultation it was decided to haul it down for the present. Then arose the question who would perform the unpleasant task. Finally a man named Bradshaw volunteered. He crept out through the scuttle in the peaked roof and stood on the platform by the flagstaff. He placed one hand on the rope and raised the other for silence. The moment was a dramatic one and it was so quiet that his words could be heard by all as he shouted from the housetop: "I am going to take down this flag," he said, his voice quivering with emotion. "I do it at the request of the mayor. No cursed rebel mob could compel us to haul down the stars and stripes." He drew his revolver, fired six shots in salute and then drew down the flag and tenderly folded it up.

With the First Nebraska

Finding it impossible to enlist in the union army in St. Joseph the two brothers with about sixty other men came to Omaha in May, 1861, and enlisted in the First Nebraska regiment under General Thayer. Young Burmester was less than 17 years old at the time of his enlistment, and being, in addition, slight in stature he was made a musician. The regiment camped on the plain back of the present high school building. There the arduous drill was gone through day after day and occasionally the men marched proudly down Farnam street to Ninth and had dress parade. The old capitol building was used for sleeping quarters.

In the fall of that year the first regiment went down the river to St. Louis, and thence into southern Missouri, where for a short time they were with Fremont. When he was relieved they returned to Sedalia, Mo., and took up winter quarters in Georgetown. In January, 1862, they went again to St. Louis, and there took a boat for Fort Henry, where they arrived just after the union gunboats had captured it. They proceeded then to Fort Donaldson, where they were engaged in the battle on February 15, 1862. Next they took part in the battle of Pittsburg Landing, and then participated in the siege of Corinth. A few weeks later at Helena, Ark., the service of young Burmester in the active army ended and he went home to care for his mother.

Upon arriving in St. Joseph he went into the quartermaster's department as a clerk. He advanced in a short time to the position of chief clerk of the quartermaster's department for the district of North Missouri. In this position it was his duty among other things to pay for fodder and provisions taken from the country around by union soldiers. The officers used to take what they needed and give the farmers receipts, which were paid by the quartermaster. Mr. Burmester went out periodically with large sums of cash in his pockets and a brace of pistols around his waist. At the several towns he would meet the farmers and pay what their receipts called for. In the spring of 1865 he was transferred to the same position in the central district of Missouri, with headquarters at Lexington.

There he had to oversee personally the securing of forage. With thirty six-mule wagons and a company of cavalry as an escort he used to sail forth into the surrounding country and get provisions for the army; peacefully if he could, forcibly if he must. If a man refused to sell his bins and granaries were emptied and his cattle taken. This was not done by young Burmester as ruthlessly as it had been done by the agents of Napoleon to his grandfather half a century before. The farmer was given a receipt in full for all the property taken and though he might rage and declare in language not elegant but forcible that he didn't want their receipt, it was noticeable that he was always on hand when the paymaster came to the neighboring town.

Sad Experience of War

"The country was still full of bushwhackers," says Mr. Burmester. "One night we were attacked by a band of them and fought for more than an hour. In the morning we broke camp and proceeded until we came to a house, where we stopped and demanded breakfast. The woman cooked it and we sat down. At the table our talk naturally turned upon the skirmish of the previous night. The woman listened and presently I noticed she was crying quietly. I asked what was wrong. 'You killed my boy,' she said between her sobs. 'They



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brought him home this morning.' Then she went to a door and opened it so we could see in. There lay the boy on a bed, an ugly wound in the side of his head showing what had caused his death. This took our appetites and we left the house at once. The incident shows how hardened to the horrors of war the people were. That woman was able to get us a good breakfast though her son had just been brought home dead and lay in the next room even at the time."

Mr. Burmester had a curious problem to grapple with while he was chief quartermaster's clerk at Lexington, and it came to a happy solution. The government had decided to discontinue the office and an order came to forward all supplies to Warrensburg, thirty-six miles away. Among the supplies were 800 horses which had been

captured from confederates or surrendered by them. Few men were available in Lexington and certainly not enough to take 800 horses a distance of thirty-six miles through a wild and unfriendly country. Then one evening a regiment of union soldiers arrived in Lexington. Tired and dusty and hungry with a long forced march were the men. And the next day they would have to make another march of thirty-six miles to Warrensburg. The prospect was not encouraging. That evening the chief clerk of the quartermaster's department and the colonel of the regiment had a consultation and the former agreed to turnish mounts for every man in the regiment if the latter would agree to deliver said mounts at Warrensburg. Probably no bargain was ever concluded more agreeably than this one and about 800 men

of a certain union regiment were made very happy the next morning as they rode out of Lexington on prancing steeds. The horses were all safe in Warrensburg that evening.

Life Since the War

After the discontinuing of the department at Lexington young Burmester went to St. Louis, where he assisted in mustering out a number of regiments at the close of the war. In the fall of 1865 he came with his mother to Omaha, where he has resided since that time. He arrived here on Saturday, October 29, and on the following Monday morning went to work for Milton Rogers as bookkeeper. He slept in a room over the store and usually spent his evenings at the fascinating work of setting type on a German newspaper then located at Twelfth and Harney streets. He remembers a fierce blizzard in March, 1866. It took him half an hour to walk against that wind from Twelfth and Harney streets to Fourteenth and Farnam streets. And when he opened the door of the store such a fierce gust blew in that it brought down an avalanche of pots and kettles from their places on hooks and shelves.

He entered the employ of Iler & Co. in 1872 as bookkeeper and cashier, where he remained until 1882. He then became assistant secretary of the Western Horse and Cattle Insurance company, and when that firm discontinued business he went into the Omaha Barbed Wire company, of which he was made secretary and treasurer. When the Wire trust absorbed this enterprise in 1892 Mr. Burmester became superintendent of the money order division of the Omaha post-office, a position which he has filled with credit and still holds. During the seventeen years of his incumbency the business has grown from \$2,000,000 to \$8,000,000 a year.

He married Mrs. Elfriede Meyer on May 20, 1871. She was the widow of J. C. Meyer, sutler of the First Nebraska regiment. She, too, had "smelled powder," having been with her husband at Cape Girardeau when the rebel general Marmaduke tried to take the town. She heard the screaming shells and the whizzing bullets and she was in the midst of the wounded in the capacity of nurse and physician. Mr. and Mrs. Burmester have two children living, Charles E. Burmester, cashier of the National Distilling and Refining company, and a daughter, Mrs. Mabelle B. Neal, also of Omaha.

Mr. Burmester was an active and aggressive member of the Young Men's Republican club in the early days immediately after coming to Omaha. He was secretary of the organization at one time. He has always taken the greatest pride and interest in the Grand Army of the Republic and has been honored with a score of offices in that organization. He joined the Grand Army soon after its inception and was first a member of George H. Thomas post No. 1. He was elected adjutant of this post in 1868 and commander in 1869.

Activity in Grand Army Work

When the Grand Army was reorganized he became a charter member of Omaha post, now U. S. Grant post, No. 110. He was adjutant of that post in 1886 and commander in 1887. He was chief of staff to Department Commanders T. S. Clarkson, A. H. Church and John Reese. He was aid-de-camp on the staffs of Commanders-in-Chief Robert Beath, William Warner, Russell A. Alger, A. G. Weisert and J. P. Rea. He was special aid-de-camp in charge of military instruction in public schools on the staffs of Commanders-in-Chief Thomas G. Lawler and Innis Walker. On the staff of Commander-in-Chief W. G. Veazey he was assistant inspector general.

He was a member of the national council of administration in 1894-5. He was a delegate to the twenty-first, twenty-fifth and thirtieth national encampments. And in 1896-7 he was adjutant general of the Grand Army of the Republic, in which position he was the executive officer in charge of forty-five departments, with more than 360,000 members. Something of his standing in national Grand Army circles is shown by the following editorial in The National Tribune upon his selection as adjutant general:

"Commander-in-Chief Clarkson chose his adjutant general with excellent judgment, which has been more than justified by a year's occupancy of that important position by Comrade Charles E. Burmester of Omaha, Neb. His fine abilities for headquarters work were discovered during the war and given a thorough training then. He has made a faultless adjutant general—prompt, foreseeing, methodical, courteous and obliging. Everybody who has had dealings with national headquarters has been highly pleased with him."

It is a fair and true saying that peace hath her victories no less than war. Here—in a part of that vast territory which Napoleon sold for a song to the United States in order to get money to carry on his designs in Europe—here the son of that soldier of Napoleon has lived to see a far greater victory of peace than the "Man of Destiny's" martial genius produced by the sacrifice of a million men.

Divorce Question in America and Its Solution

DURING the past few months we have heard much of trial marriages, but little has been said of the trial divorces which have been granted for generations. Experiments in both trial marriage and trial divorce are not uncommon. In the past few years it has been my duty to separate a man and his wife, to grant them permission to remarry upon the earnest solicitation of their pastor, to divorce them a second time, and to confine the husband in jail for not supporting his child after the second divorce. That case stands in my mind as an example of what Dr. Johnson would call the triumph of hope over experience.

Under the influence of ecclesiastical law and tradition all but ten of the southern and western states permit the granting of trial divorces, which are known as divorces from bed and board. In these actions the court may separate the parties for a limited time, giving them a chance to try divorce during that period, or it may separate them for life; but in either case neither party may remarry. All of the states except South Carolina also grant the absolute divorce, or divorce from bonds of matrimony, which leaves either party free to remarry.

The wisdom of granting divorce from bed and board has often been questioned. On the one hand, it affords those who do not believe in absolute divorce a means of separation. On the other hand, Lord Stowell has pointed out that it leaves the husband and wife "in the undefined and dangerous characters of a wife without a husband and a husband without a wife."

Down to the passage of the English divorce act of 1857 divorce from bed and board was the only separation that could be secured by those not able to pay the cost of a Parliamentary divorce. This act was passed for the avowed purpose of so reducing the cost of absolute divorce that it might be within the reach of all, thereby decreasing the number of clandestine and illegal second marriages.

Recognizing that the desire to live with one other person than the lawfully wedded spouse is often the reason for divorce lurking behind the ground presented to the court, the legislatures of Wisconsin, Illinois and California have sought to remove this temptation by prohibiting remarriage within a year from the date of the decree. But

such laws will never be fully effective so long as neighboring states have no such restrictions.

The uniform divorce law, recently drafted, provides that the bonds of matrimony shall not be dissolved until one year after the case is heard, and a provisional judgment entered. This year will give time for tempers to cool and for the parties to realize fully the meaning of the step which they propose to take. This year will give opportunity to discover fraud, if any was practiced. It will greatly decrease the number of absolute divorces, for that year of payment of alimony and of separation from home and children will lead to reconciliation and to the re-establishment of old homes on a newer and better basis.

But some will say, let the husband and wife live apart without legal separation if they cannot dwell together in peace and harmony. Until the court steps in and separates them they are still husband and wife. The brutal, drunken husband may go to the home at any time of day or night and institute a reign of terror; the wife may flaunt her infidelity in the very faces of her children, or reel to their abiding place in a drunken stupor. And the only redress is to appeal to the police officer after the harm is done. It is only when the court steps in and takes control of the husband, the wife and the children that anything like peace or decency can be brought out of these hard domestic conditions.

When we turn to the legislature for a solution of the problem we must not forget that legislative enactments themselves do not strengthen frail human nature. By refusing to grant a legal separation we can wipe out divorce entirely, but this will not change human nature nor make homes ideal. In some extreme cases, if the law does not give relief, the dagger will perform the function of the divorce decree. When Justinian sought to stem the rising tide of divorce by somewhat radical reforms, poisonings and other attempts on life among married people became so common that his successor abolished these reforms. The countries that prohibit divorce are not exceptional for social purity.

But within the proper limits much can be done by the law-makers to establish legal environments that shall do away with existing abuses in the administration of our divorce laws. Much progress has been made from the days when the legislatures of neighboring states lumped twenty di-

vorces in a single bill, like remnants at a bargain counter, without even suggesting the causes for which the separation was granted. With these old legislators the case depended more upon the graces, charms or beauty of the wife, or upon the social or political standing of the husband, than on the merits of the application.

The divorce scandals that made Utah and later Dakota notorious are chargeable wholly to the law-makers. Both states made it the duty of the court to grant a divorce when it appeared that, for any cause or reason, the parties cannot live together in peace and happiness, and that their welfare requires a separation. Worse than that, the requirements as to residence were such that anyone who could afford a trip to Utah or a sojourn of ninety days in Dakota could return to his former abode with a divorce decree. As a result of this law in three years the number of divorces granted in Utah was six times the number granted before the law was passed. Utah promptly repealed the obnoxious law and every state in the union except Washington has repealed the "omnibus clause" and substituted in its place certain definite causes for divorce. All have lengthened the required period of residence, South Dakota alone lagging somewhat in the rear in this march of progress.

The United States presents two interesting experiments in legislation restricting the granting of divorce. It has been the settled policy of New York to grant an absolute divorce for adultery only, while South Carolina, with the exception of a few years following the civil war, has never granted an absolute divorce.

During the twenty years covered by the federal divorce report 14,247 divorces were granted for adultery alone by the New York courts. In the state having the second largest population (Pennsylvania) eleven causes for absolute divorce were recognized, and during the same twenty years 16,020 absolute divorces were granted—only 1,773 more than New York granted for adultery alone. Chancellor Kent, after a long career on the bench of New York, stated that he believed that sometimes adultery was committed for the very purpose of obtaining a divorce because it could be secured on no other ground.

In South Carolina, outside of the days of reconstruction, the legislature has refused to grant an absolute divorce itself or to empower the courts