Nebraska State Historical Society

Plattsmouth Journal. The



his side of the case, opening statement for the state by that he had not struck Gaines but Attorney D. O. Dwyer, who present- had pushed him out from under the ed a great many of the legal phases steering wheel on the car with his of the side of the State of Nebraska. hand. There was no booze found in

Mr. Patrick paid a very fine trib- the car. ute to the members of the grand jury who had fearlessly gone ahead rick was very severe and the tilts beand voted indictments in the task of tween witness and counsel were clearing up the affairs of the coun- many. Mr. Grebe stated that he and ty and restoring to the people of the Manners had been at the bridge all ment purified and made better and position part of the time. Witness

The testimony was given very of attorney for the state. There had speedily and the state offered but been no reason for going after cars, three witnesses, Elmer F. Gaines, save for booze. No booze found in Harold Gaines and W. F. Huneke, the Gaines car or on their persons. while the defendant had as witnesses Did not find them doing any unlaw-Sheriff Quinton. County Clerk George ful act, had told parties to appear Sayles. Ex-County Treasurer Mike and answer to abusing an officer. No Tritsch. Justice William Weber, G. complaint had been filed against eith-H. Manners and himself.

. Manners and himself. Harold Gaines, who followed his by Mr. Tidd witness did not know brother, Elmer Gaines, on the stand, why complaint had not been filed. testified that he and his brother had On cross-examination witness did not owned the Ford car about a month know whether Manners was an offiprior to the time of the alleged as- cer or not. Elmer Gaines was the sault, that they had not used it much. only one at Third and Granite street the night of the trouble. They had stopped witness. left Valley about 10:30, where they were attending a high school alumni hind them near the Burlington cross- had been engaged in work for deing and honked a horn as a signal partment of public works of the state to pass and they had turned out, but under a commission, worked a month pants had not told their name or go out with Grebe and do some work ahead. The third time the car had cars. They had been watching at the come toward them someone had shot bridge when Grebe said "There is one had been searched they had asked robe partially around him. When witty attorney. When at the court house not said anything to any of the par-on the night following the shocting. Ity. Witness stated that Gaines boys Eastern Star.

the owners. Elmer had been at the when Grebe was talking. Had not

told him that Grebe had taken Elmer car. Did see Grebe shove Gaines. on the west side of court house.

The next witness was W. F. Hun- denied swearing at officers; Elmer eke, who testified that the Gaines Gaines stated might have swore after boys had boarded at his home and being hit in the car by the defend-

were quiet and sober young men. ant Grebe. Harold Gaines testified They had kept their Hudson car in that the man Hobbs had used their the yard at his home the greater car to go to Omahs with sick son. part of the time. A man named and also to Humboldt.

the out about the tires. Witness stated

JAMES M. ROBERTSON The cross-examination by Mr. Pat- Elected Grand High Priest of Royal Arch Masons of Nebraska

N. R. Browne, Hastings, deputy grand high priest; Harry D. Cone community their local self govern- evening. Had searched cars on sup- Omaha, grand high priest, Harry D. Cont., Grand Jurymen and Senator Banning the speaker stated that in the years stated he had no official connection ards, Fremont, grand treasurer Omaha, grand scribe; Lucius D. Richto come the people would honor the with the office of the county sheriff. memory of the grand jurors for their "Us officers all work together." wit-retary; L. M. Kuhns, Omaha, grand

ness replied in answer to a question chaplain; Lute M. Savage, Omaha grand lecturer; Harford N. Rosebush, McCook, grand captain of hosts; Harry S. Villars, Tecumseh, grand principle sojourner; Frederic G arch captain; E. I. Ellis Tekamah, grand master of the third vail; Arthur C. Stem, Chadron, grand mas-

ter of the second vail; Elbert G. Loring, Alliance, grand master of the first vail; Luther B. Hoyt, grand the office of temporary sheriff, as I certain warrants and checks that sentinel. Omaha

The selection of Mr. Robertson as as they had a Hudson car also, up to the following night when he had sonic fraternity is an event that was Judge Begley and Prosecuting Attor- County Clerk Sayles testified that

G. H. Manners testified that he had banquet. A car had come from be- resided in Plattsmouth twelve years, hundreds of friends of Mr. Robertson sheriff. over Cass county, and is a recognition of his long and faithful services to the order in the state and his unthe car had not passed. The occu- at this. Had ben told by Quinton to the order in the state and his anpants had not told their name or so out with Grebe and do some work their purpose. Witness had told his on the night of May 21st. Several he has been such an active figure. He asked for it and said it would brother to put on more gas and go booze cars reported as well as stolen The members of the order here are be satisfactory to every one. It was county for the past years up to Departicularly gratified as Mr. Robertcome toward them someone had shot of the cars we will look over." They had stopped. Grebe had said: "Intere had asked Mr. Grebe had said: "This is the law." At the gift of the local chapter prior to enthority and Grebe had struck Elmer third time witness stated that one of tering the official circle of the grand in the face. Both witness and his the occupants of the Gaines car had chapter in which he has served in brother had gotten out of the car without any trouble. After the car

Mr. Grebe as to who would pay for ness had come around car Grebe was the Nebraska Masonic Home associathe shot tire and were told if they talking with the boys. Grebe had tion, which has charge of the affairs wanted to find out to call at the shoved one of the boys from under to the splendid Masonic Home in this court house at the office of the court. The steering wheel. Witness had

Grebe had told Sheriff Quinton: "If had cursed Grebe. On cross exami- Mr. Robertson was accepted in Mathe boys tell how booze gets into Plattsmouth, might let them off easy."

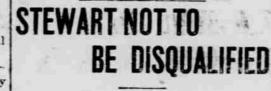
On cross examination by Mr. Tidd, sion as deputy sheriff. He supposed braska, where he was residing at that witness stated that he had not heard officers tell them to stop. They had pid her to use of car and help. time. He has since removing to Cass county had pid her use of car and help. not heard Mr. Grebe or Mr. Manners Did a good deal of work, only pay come a member of Nebraska chaptell them they were officers. Plate that of auto hire. Had been given a ter No. 3 of this city and Mt. Zion number on their car had formerly verbal oath by sheriff, no written commandery No. 5, Knights Tempbeen on a Hudson car, and which oath or commission. Had star of spec- lar of this city also, and in addition number was transferred on May 25th. ial officer. Carried a gun. Had no to his high position in the grand Hudson car had not been used in the permit to carry gun on occasion of chapter is also grand captain general transportation of liquor and had May 22nd. Witness was alongside in the grand commandery of the been kept near the boarding place of the Gaines car at about the center state of Nebraska.

At the session of the grand chapter the owners. Elmer had been at the seen Grebe strike Gaines. Might have in Omaha on Tuesday an appropria-on the night following when parties on Did see Grebe shows Calibration of \$10,000 was made by the of a large dry goods store. chapter toward the new infirmary there. Had found Elmer Gaines, the The rebuttal of the state was by that is to be erected on the grounds defendant Grebe and Sheriff Quinton the complaining witness, Elmer of the Nebraska Masonic Home in Gaines and his brother, Harold. They this city. The chapter is acting in conjunction with other of the Ma-

sonic bodies in carrying on the work of the Masonic Home.

> Glen Thompson of Omaha was here friends for a short time.

various cases that were charged against him by the indictments of of the court yesterday, State Deputy the grand jury.



Asked Governor to Name Him as Temporary Sheriff.

From Thursday's Daily: Governor Bryan said Wednesday he knew when he appointed E. P.

sheriff of Cass county, that Mr. Stew- made arrests to turn all fees to the Vosshammer. Auburn, grand royal art had been a member of the grand county in which the arrest occurred jury that indicted Sheriff Quinton, as they were paid on the per diem whose vacant office Mr. Stewart is basis by the state. Holmes was actnow filling.

"That he was called as a grand county offices. juror does not disqualify him to hold Justice William Weber identified

view it," said Governor Bryan. "The were offered by the state and on the question was brought up last Sunday warrants the return made by the dehigh priest of this branch of the Ma- night when I conferred with District fendant. Holmes, to the charge, learned with a great deal of pleasure ney Dwyer and both said they could there was no record of the appoint-

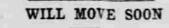
not only by the members of the Ma- see no legal objection to Mr. Stew- ment of Holmes to any office in Cass sonic order in this city but by the art holding the office of temporary county. For the opening witness of the de-

"Everybody seemed to want Stew- fense, Justice Weber was recalled art to hold the office. Several grand and testified that all papers had been jurymen called on me and asked me signed and prepared in the office of for Stewart's appointment. Senator County Attorney Cole. C. D. Quinton was called and testi-

He asked for it and said it would fied that he had been sheriff of Cass argued that as Stewart is affiliated cember 10. That he had in March, with the republican party it would 1923, asked T. W. Carroll for assistbe out of all semblance of politics if be out of all semblance of politics 11 ance in enforcing the law in Cass county, that in August, 1923, of a republican sheriff rather than Holmes, the defendant, and one man to appoint a democrat to the office and give rise to complaints that the had informed them of places to raid. named Anderson, appeared. Sheriff Among these places was that of Alex get rid of a republican sheriff and Eaton and Frank Bauer.

supplant him with a democrat. All agreed that there should be no polistated he had personal knowledge of tics. the arrest of the parties by Mr

Attorney General Spillman de Holmes, that court of Justice Wilclined to express his views on the liam Weber had been in the city hal matter on the ground that Stewart's eligibility to hold the appointment a block from the court house. Eaton, one of the parties named in the inhad not been presented to him by the governor or any one else. He had dictment, had not been served with no knowledge that Stewart actually a warrant at Union but later in the office of County Attorney Cole. Bauer served as a grand juror .- From the had also been at the court house State Journal. when the warrant was served. In



From Saturday's Dally-

allowed to serve warrants and papers. Mr. and Mrs. William Rice of this Sheriff had not reecived fees in any ity have received word from their of the cases. Mr. Patrick of the daughter, Mrs. Carl Mathiasen, who state asked the question if the sherhas been residing in lowa for the past iff had served the warrants the fees few years, stating that they were ex- would have to have been turned inpecting to leave soon for Stanton to the county treasury to which the

South Dakota, where Mr. Mathiasen | renly of yes was given by the sheriff. has accepted a position as manager was devoted to the testimony of F. A. Holmes, the defendant, and in

FOR SALE

Pure bred Buff Orpington cocke- charged on various warrants for atrels .-- Mrs. D. R. Topliff, phone 2412, tendance and mileage which in some Murray, Nebr. d13-1mo w of the cases used in the trial were very steep. Mr. Holmes, on taking

George Everett and son, John, of the stand, stated that he had entered Union were here today for a few the law enforcement bureau in the today for a few hours visiting with hours visiting at the court house and spring of 1923, he had been given a calling on their friends in the city. 'badge in June, 1923. He had made

On the resumption of the session by a Cass county jury, "We have never given badges to

dergo a cross examination by A. L. had worked for us some time and Tidd of the defense. Mr. Carroll was whom we knew. There has been no hown the shield of Mr. Holmes such thing as a wholesale distribu-

which during the course of the trial tion of badges." No evidence man at the present vas used several times by both the state and the defense. This was the time is in possession of a badge, he declared. first and only one issued to Holmes.

Commenting on the verdict of the The policy of the state bureau, Mr. jury that freed Holmes, Carroll said: Carroll stated, was to bring the men in and turn them over to the local "Holmes is a good, straight chap and a hard worker, and the only authorities. Holmes had been an cfsoncy he has obtained for his work ficient man when with the state bureau. Men were supposed to receive in Cass county came from fees. It is my understanding that whatever he no pay when out on county work. did was at the suggestion of the

On re-direct Carroll stated that it of intentional misbehavior.

FOR SALE OR TRADE

ing purely under the direction of the .348 acres, on river bottom, no band. overflow. 188 acres farm land, bal-

ance pasture. Two miles from Bloomington, Neb. Good improvements. 125 head of thoroughbred Hereford cattle. Write R. E. Doud,

Plattsmouth, Neb. > d22-2w sw

your door daily for 15c a week.

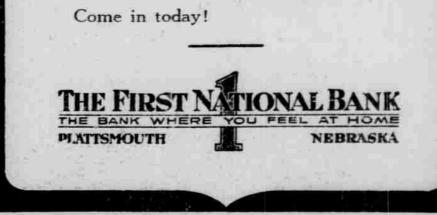
CALF TAKEN UP One yearling calf taken up at my place on the Ray Smith farm, west of Plattsmouth, that the owner may

have by calling at the farm, proving All the home news delivered at property, paying for care and for this advertisement. d11-1wk d&w



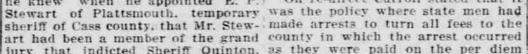
When there's any doubt about what Christmas gift would be most appreciated, Santa Claus will never go wrong in presenting a Savings Account.

With as little as one dollar you can open an account at this bank for any of your relatives or friends. It's a gift that can be added to at any time, and which, by growing steadily, will some day make possible the attainment of some long-cherished desire.



ones. The husband and father passed away six years ago and since that home with her children at the home farm which her son, Allie, looked after To mourn her death there remain

six sons and three daughters, Adam of Louisville, George L., of Manley; Philip of Cedar Creek: J. J., of Santa Ana, California: W. H. of Plattsmouth; A. F. of Cedar Creek: Mrs. Nettie Frederich of McLean, Nebraska; Mrs. Lizzie Born. and Mrs. Emma Meisinger of Cedar Creek. There are also twenty-one grand children, five great grand children. The funeral services will be held county attorney and he is innocent Glendale church and the service will be in charge of Rev. H. O. Rhode of the Eight Mile Grove Evangelical church. Interment will be at the Glendale cemetery beside the hus-



On cross examination, the sheriff

reply to question witness stated

there was no reason why he could

not serve the warrant. Holmes was

The greater part of the afternoon

which the state on the cross exami-

nation touched on the amounts

