

The Plattsmouth Journal.

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NO. 63

JUDGE RAPER PASSES SENTENCE TODAY

TAKES ACTION IN CASES ALVIN JONES AND JULIA KAUFMANN THIS MORNING.

HEAVY FINES ARE IMPOSED

Each Given \$400 and Costs—Jones Not Remanded as Had Already Resigned as Police Chief

From Friday's Daily—
This morning Judge John B. Raper, presiding judge of the first judicial district came up from his home at Pawnee City to hear the motions for new trials in the cases of Alvin Jones, former chief of police, convicted by the jury here in the district court, and Julia Kaufmann, who was also convicted of violation of the liquor law at the December session of the court.

In the case of the State against Julia Kaufmann, the defense moved that a new trial be granted on the lack of evidence at the trial and error in the instruction of the court at the time of the trial of the case. Judge Raper after hearing the argument in the case overruled the motion for the new trial and proceeded to pronounce sentence for the offense.

The court passed sentence of a fine of \$100 and costs on count one of the indictment of which the defendant had been found guilty by the jury, \$100 and costs on count two, \$100 and costs on count three and \$100 and costs on count four. The total fine was \$400 and the costs of the case will be in the neighborhood of \$125. The court remanded the defendant to the custody of the sheriff until the fine and costs were paid, but on motion of the attorney for the defense the sentence was suspended pending appeal to the supreme court and the bond fixed at \$900. The bond for the appeal for Mrs. Kaufmann was signed by W. A. Becker and Henry Kaufmann.

In the case of former chief of police Alvin Jones, the defense offered the same motions for a new trial alleging the lack of evidence of guilt of the defendant and errors in the instructions to the jury and which were overruled by Judge Raper.

In the case of Mr. Jones he was charged with malfeasance in office by the indictment of the grand jury, in which the counts were that on July 23, 1923, he failed to arrest Julia Kaufmann, although he knew that she was dealing unlawfully in intoxicating liquors; that on July 10, 1923, he was in the state of intoxication and that on August 19, 1923, he had liquor illegally in his possession.

The court in passing sentence on Mr. Jones assessed a fine of \$100 and costs of prosecution on count one, \$200 and costs on count two, and \$100 and costs on count three of the indictment. The total fine and costs amount to the same amount as those incurred in the trying of the Kaufmann case.

As in the case of Mrs. Kaufmann, the defense secured a suspension of sentence pending an appeal and the bond was fixed at \$900 by the court. The demurrer in the case of the State of Nebraska vs. Alvin Jones, in which the defendant was charged in an indictment by the grand jury of perjury offered by Attorney A. L. Tjeld for the defense, was sustained by Judge Raper. The indictment had been prepared under the old common law and failed to contain the proper findings against the defendant upon which to prove the crime charged and accordingly the demurrer was sustained. In this case it is thought probable that the state will not insist on the filing of a new information against Mr. Jones and the case will probably be quashed and not brought to trial at the next term of the district court.

PROMINENT FAMILIES UNITED

From Friday's Daily—
Two of the old and prominent families of Liberty precinct were united yesterday in the marriage at Council Bluffs, Iowa, of Miss Margaret Swan to Mr. Clifton K. Garrison. The wedding was a very simple one and has been anticipated by many friends of the young people for the last few weeks.

Both of the contracting parties have been reared in the vicinity of Union where their families are among the pioneer residents of that locality, the bride being a daughter of Mr. and Mrs. T. W. Swan and the groom a son of Mr. and Mrs. Charles Garrison, who are numbered among the leading farmers of the precinct and who have been very prominent in the life of that community.

The friends in this section of the county join in wishing Mr. and Mrs. Garrison a long and very happy wedded life in the years that lie before them and the success that they so well deserve.

GIVE SHOWER FOR BRIDE

From Friday's Daily—
Last evening after the business session of the Royal Neighbors of America had been disposed of at their lodge rooms in the M. W. A. building the members joined in a social session that was marked by a shower for one of their members, Mrs. Helen Hill Meisinger, whose marriage to Edgar Meisinger occurred early in December. In honor of the occasion Mrs. Meisinger received a large number of very handsome and useful presents that she will treasure as tokens of the esteem of the many kind friends and associates in the lodge work, the guest of honor having for a number of years been a very active member of the order. At a suitable hour the members of the party were served with refreshments of pie and coffee.

DEATH OF ERNEST EPPINGS OCCURS IN OMAHA HOSPITAL

Young Man Passes Away as Result of a Severe Case of Appendicitis at Omaha Hospital.

From Thursday's Daily—
Last night a few moments before midnight Ernest Eppings, 15 year old son of Mr. and Mrs. J. H. Eppings of this city, passed away at the University hospital in Omaha as the result of a very severe attack of appendicitis from which he has been suffering for the past week.

The young lady was taken sick at the home here on February 4 and on the following day was hurried to the University hospital in hopes of giving him some relief from his intense suffering and to try and check his case an operation was performed at once but without avail as it was found that the appendix had been ruptured and the condition of the boy grew steadily worse until Tuesday afternoon when all hope of his recovery was abandoned and the parents and members of the family were notified of the serious condition of the lad.

The death occurred last night and the body is to be brought here this evening and funeral services will be held at 2:30 Friday afternoon from the Christian church of which the members of the family are members.

The deceased boy is survived by the mother and one sister and one brother, Emma and John Richard Eppings.

In their sorrow the members of the family will have the deep sympathy of a host of friends in the loss that has come to them in the taking away of the bright little lad.

CELEBRATE GOLDEN WEDDING SUNDAY

Mr. and Mrs. James H. Burnett, Who Were Married Here February 17, 1874, Plan Event

From Friday's Daily—
Mr. George E. Dorey of this city has received the announcement of the golden wedding observance of Mr. and Mrs. James H. Burnett, of Maywood, Nebraska, who were in the long ago residents of this city and will be remembered by the older citizens here.

Miss Nellie E. Potter and Mr. James H. Burnett, then two of the popular young people of Plattsmouth were married in this city on Feb. 17, 1874, the bride having been making her home here with her aunt, Mrs. Elias H. Sage, and while living here where she was educated in the Plattsmouth schools, had been one of the belles of the town.

Shortly after their marriage, Mr. and Mrs. Burnett departed for Maywood, where they have since resided and have been among the most highly esteemed and respected residents of that place.

GIVES VALENTINE PARTY

From Friday's Daily—
Thursday afternoon Mrs. Willis Holmes entertained very pleasantly at a Valentine party in honor of the seventh birthday anniversary of her daughter, Jean Elizabeth. The afternoon was spent in playing games and having a very jolly time among the young people in attendance. The home was tastefully decorated for the occasion in a color scheme of red and white, being carried out with hearts and candles.

Miss Jean received many beautiful gifts and valentines in remembrance of her birthday that she will long cherish. At the supper hour a delicious two course luncheon was served in which the color scheme was again carried out. The centerpiece of the dining table was a large white birthday cake covered with tiny red hearts and with its seven red candles.

BIL'S GUESTS OF P. E. O. LADIES DIES LAST NITE

BEAUTIFUL COUNTRY HOME OF GLEN PERRY THE SCENE OF A FINE TIME.

ALL ENJOY THE ANNUAL FROLIC

Members of the B. I. L. are Properly Initiated into the Mysteries of the Order by the Ladies.

From Friday's Daily—
Following the custom of several years' standing of entertaining once a year the husbands of the membership of the P. E. O., the B. I. L. ladies, as they are officially designated, the ladies of Chapter P. E. O. last evening gave their usual delightful entertainment of the "gentler sex" at the beautiful country home of Mr. and Mrs. Glen Perry, south of this city.

The members of the jolly party made the journey to the Perry home in cars and upon their arrival there the B. I. L. ladies found there was something out of the ordinary awaiting them and which they will long remember both for the jollity of the occasion and the gracious manner in which the ladies received them into the great order of the B. I. L. The party arrived at 8 o'clock and the gentlemen were at once ushered to the rooms on the second floor of the Perry home where they were to remain until the hour when they were to be initiated into the order by the ladies.

The ladies had arranged the living room in a fitting manner for the initiation and each of the five officers participating in the ceremonies were garbed in the flowing white robes and at a given signal, and to the strains of the Chopin funeral march, the gentlemen were led into the room and the fun and frolic of the initiation staged by the ladies which was one that brought out every possible enjoyment both to the initiated and the initiators. Over this part of the evening's entertainment, Mrs. E. A. Wurl, president of the chapter, presided with stately solemnity and impressiveness. The ladies gave a song written by Mrs. William Baird which was given to the tune of "Mr. Gallagher and Mr. Chan," and each verse of which was a gentle roast of some of the candidates of the B. I. L. One of the stunts of the evening was the reading of a demit from Holdrege, Nebraska, P. E. O., permitting Mr. J. L. Tidball to join the Plattsmouth B. I. L. and which was duly accepted and Mr. Tidball became a member of the order without delay.

The ceremonies and stunts for the initiation were prepared by Mrs. Elizabeth Travis, one of the long time members of Chapter F, who was assisted by Mesdames W. A. Robertson, E. A. Wurl, C. E. Hartford, H. F. Goss, J. F. Gordon, and from the hearts of the candidates the ladies deserve a great deal of credit for the completeness of their work.

The B. I. L. were required to sing a song prepared to the tune of "Yankee Doodle" that brought out a great deal of merriment and was followed by the ladies calling on their brother members for songs and stories to which they responded very graciously and in a most clever manner.

The members of the party were treated to a very enjoyable luncheon at an appropriate hour. The refreshments were arranged in keeping with the Valentine season, the hearts of ice cream and the cakes being in keeping with the spirit of the occasion. The tables in the dining room were arranged in the Valentine color of red, candles and carnations of red being used in the decorations and made a very charming sight as they were surrounded by the jolly party of the evening.

The refreshment committee was headed by Mrs. Glen Perry, the hostess of the occasion, and proved royal entertainers in every way. During the initiation and in the course of the evening Mrs. Roy O. Chan, one of the talented ladies of the community, gave several very artistic piano solos that were much enjoyed.

RESOLUTIONS OF CONDOLENCE

Whereas in the operation of the Divine Will our brother, Frank M. Bestor, has suffered the loss of a kind and loving mother and the family one who will be sadly missed from their circle, therefore,

Be it resolved, That Fr. Juan De Padilla Council No. 1966, Knights of Columbus, extend to our bereaved brother our heartfelt sympathy in the loss that has been visited upon his family in the taking away of the beloved mother, and,

SCOUTS HOLD SERVICES

From Friday's Daily—
At the climax of Boy Scout week in which the two local troops held special observances each day of the anniversary of the foundation of the organization, the investiture services were held on Wednesday evening at the high school gym.

Six boys were admitted as tenderfoot scouts, two were advanced to the second class scout work and several were decorated for their community service in which they were given advancement in the ranks of the scouts. Six boys received credit for 25 hours of community service and two for 50 hours. Edward Patterson was also given special decoration for his services and has attained a very high rank in the local scout work.

DEATH OF WELL KNOWN RESIDENT OF NEAR MANLEY

Mrs. William Rauth Passed Away There Last Night Following Long Illness.

From Thursday's Daily—
Last night at her home two miles south of Manley, Mrs. William Rauth was called to her last reward following an illness of some duration and the passing of this estimable lady has cast a deep gloom over that locality where the deceased lady was so well and favorably known to a large circle of friends.

Mrs. Rauth was in her fifties at the time of her death and while born at Cleveland, Ohio, has spent the greater part of her lifetime here in Cass county where she has been one of the highly esteemed residents of the Manley neighborhood and where she has served in the upbuilding of the community.

To mourn her loss in the immediate family there is the husband and three children, Josephine, Teresa and Anna, all of whom reside in Manley.

During her lifetime Mrs. Rauth was a devout member of the Roman Catholic church and the last services will be held at the St. Patrick's church in Manley, conducted by the Rev. Father W. L. D. Higgins. The date of the funeral has not been fixed upon definitely by the members of the family.

MODERN WOODMEN HAVE A VERY FINE GATHERING

Cass Camp, M. W. A. Showing Big Growth and Great Interest is Taken in the Work.

From Thursday's Daily—
Last evening the members of Cass Camp No. 432, Modern Woodmen of America, held a very pleasant session at their hall which was very largely attended by the membership of the order and one of the old time enthusiastic gatherings held by the followers of Woodcraft.

The camp conferred the honors of membership on Joe Buttery at the session and following the ranks of various ones present gave short talks on the road of the order that were inspiring to the carrying out of the plans made for the ensuing year by the new officers.

Cass camp has a membership of 350 at this time and each month there are additions to the ranks of this leading insurance fraternity and to assist in the interest of the camp, V. T. Arn, consul, is planning the organization of a degree team that the work may be put on in the proper shape and the impressive lessons of Woodcraft shown to the members as they are taken into the order.

FIRST SNAKE OF THE SEASON

From Thursday's Daily—
The gladsome robin winging his way from the hospitable lands of the south is not the only forerunner of the coming of spring and the passing of the cold winter as the appearance of the native snakes from their winter quarters foretells that the winter is over and weather the first snake story was given out to the public.

The passersby near the Coronado snakes do not usually make their appearance until in April or May when the cold weather is over and this snake has either had an advance tip on the variety of weather that we are to have or has very convenient quarters into which it can make hasty entry when a storm threatens and go out and enjoy the sunshiny days.

MOTION FOR A NEW TRIAL IS OVERRULED

AND JUDGE TROUP PASSES SENTENCE ON CARL G. FRICKE THIS FORENOON.

ONE TO THREE YEARS SENTENCE

Together with a Fine of \$1,000—Case Will be Appealed to the State Supreme Court.

From Saturday's Daily—
This morning Judge A. C. Troup of Omaha arrived in the city to take up the matters that have been pending as the result of the convictions in the jury trials here in the district court and in which the Omaha jurist presided.

Judge Troup has had under advisement for the past week the motions for a new trial in the case of the State of Nebraska vs. Carl G. Fricke, in which the defendant was found guilty by the jury on the indictment of the grand jury alleging false entries in his books as secretary of the Livingston Loan & Building association of this city.

The court this morning overruled the motion of the defense for a new trial and proceeded to pass sentence on Mr. Fricke. The penalty under the law is a term of from one to five years in the penitentiary, but in this case the court imposed only a sentence of from one to three years and also a fine of \$1,000 for the offense of which the defendant had been charged by the grand jury.

The defense at once asked the suspension of the sentence pending an appeal of the case to the supreme court of the state and Attorney A. C. Farnock departed for Lincoln to secure from the supreme court the writ that would admit Mr. Fricke to bail and the bond which will be supplied as soon as the amount is fixed by the supreme court.

This case has attracted a great deal of attention and the litigation of which this is a part has been the outgrowth of the liquidation of the affairs of the Livingston Loan & Building association which was forced by a shortage in the association funds of some \$96,000. At the time the affairs of the association were placed in the hands of the state bureau of banking and commerce, a statement was made by Mr. Fricke with the directors of the association in which he turned over to them properties that he owned and was given a statement that apparently cleared him of responsibility and no prosecution was made of any of the officers by the local law enforcing officials until the setting of the grand jury, when the evidence presented to the jury resulted in the voting of the indictment on which the defendant was found guilty.

Mr. Fricke was acquitted on a charge of embezzlement at the December term of the district court and the evidence in which he was convicted is the last on which he will have to stand trial.

M'CLOUD FILES A MONSTER PETITION

Thirteen Thousand Republicans Place Selves Behind His Candidacy—Harman for Auditor.

From Thursday's Daily—
Clarence E. Harman, formerly state food commissioner under Governor Morehead, has filed a filing fee in Lancaster county and will file Friday as a democratic candidate for state auditor. It was reported recently that he intended to be a candidate for state treasurer and that L. F. Langhorst of Elmwood was to be a democratic candidate for state auditor, but they baffled the prophets and switched offices. Mr. Langhorst has filed for treasurer. Both visited Governor Bryan before settling upon an office to run for.

Charles A. McCloud, republican candidate for national committee, filed the largest petition ever filed by a candidate. It contains 13,005 names and is made up of 475 petitions from all but three of the ninety-three counties in the state. The law requires a total of 3,000 petitioners for national committee members, 500 names from each of the six congressional districts. Mr. McCloud has no opposition as a candidate for successor to Senator R. B. Howell in the position of national committee man.

SPOTTED POLAND CHINAS

Bred sows for sale. Farrow during March and April. HEKXINGS BROS., Cedar Creek, Nebr. Phone Louisville 1525.

COMPLETION OF ZEPPELIN

From Friday's Daily—
The American Zeppelin that is being built in Germany for the United States government, is nearing completion in that country, states Berlin newspapers and it is thought that it will only be a short time until it is completed and ready for the trip across the Atlantic ocean for delivery to the government. The carrying capacity of the Zeppelin is 81,300 kilograms or about 178,860 pounds. Its length is 200 meters or 656 feet. Its own weight is 41,300 kilograms or 90,260 pounds. It is expected that the trip to America will be made in from 24 to 30 hours, from the home station to the new world.

AD CLUB FAVORS SUPPORT OF THE BURLINGTON LINE

Sentiment Expressed of Getting Behind the Support of the Burlington in Every Way.

From Thursday's Daily—
The Plattsmouth Ad club, representing a large part of the business men of the city, are now engaged in a campaign that has as its purpose a more general patronage of the Burlington in the way of freight and express business wherever it is possible to do so and with their usual thoroughness are preparing to secure the facts in the case as relates to the volume of business here and to do so the club is sending to each of its members a list of questions relative to the lines that are shipped and received by freight and truck and with the view of the united support of the railroad.

There is only a very small part of the goods shipped in here that do not come by railroad but it is hoped to make the business section 100 per cent as relates to the volume of business handled by the Burlington. The business men are strong in their support of the proposition and will at their next meeting be ready to give the railroad representatives the facts as to the volume of business handled here by the Burlington.

At the noon day luncheon held today there was evidence of the general attitude of the club in sympathy with the freight and express patronage of the Burlington to the exclusion of other lines of transportation.

RELEASED ON BOND

From Saturday's Daily—
Last evening Alvin Jones, former chief of police was released on an appeal bond of \$900, pending the disposition by the supreme court of his case in which he was convicted at the December session of the district court on an indictment by the grand jury of malfeasance in office and for which he was given a fine of \$400 and the costs of prosecution yesterday by Judge John B. Raper. The defendant was given a suspension pending appeal and the bond was signed by W. A. Becker and Mrs. Arbellia Rouse, and on the acceptance of the same Mr. Jones was released from the custody of Sheriff E. P. Stewart.

Mrs. James Rebal departed this morning for Violet, Nebraska, where she will visit for a few days with relatives and friends.

QUINTON IS REMOVED FROM OFFICE BY COURT

JUDGE TROUP SAYS CRIME OF TOO LONG STANDING NOT TO TAKE THIS ACTION.

ALSO FINED \$200; WILL APPEAL

Court Room Crowded as Omaha Jurist Hands Down His Decision Late This Afternoon.

From Saturday's Daily—
This afternoon the equity court room in the court house was filled by a breathless crowd that awaited the decision of Judge A. C. Troup, who had heard the motions for a new trial in the Quinton case. The court in his decision was strong and emphatic and overruled the motions on the several propositions raised by the defense counsel and stated that the defendant had been given as fair and unprejudiced trial as possible for a human court to give and that on the result of the trial, which had been a verdict of acquittal on two counts covering alleged liquor protection, and conviction on six counts covering failure to make return of fees properly and having sworn to a false return, the court would rest its judgment with that of the jury.

In passing the sentence Judge Troup stated that in view of the period covered by the errors and failure to make reports or turn over fees of the office, it would be fully to omit from the sentences that of removal from office and accordingly the court ordered the defendant removed from the office of county sheriff and imposed a fine of \$200 as set by the statutes.

The defendant through Attorneys D. W. Livingston and Paul Jensen covered several points in their argument for a new trial, attacking the amended instruction of the court to the jury at the request of the jury, the journal entries made by the presiding judge at the previous trial when the juror, Henry Brockman, was disqualified and the jury dismissed. The defense also contended that the statutes that of removal from office and accordingly the court ordered the defendant removed from the office of county sheriff and imposed a fine of \$200 as set by the statutes.

The state of Nebraska was represented in the hearings by W. R. Patrick, who had charge of the prosecution of the case before the jury, and D. O. Dwyer who has been the special prosecutor of the cases before the court having been appointed to act as special county attorney following the disqualification of A. G. Cole, the elected county attorney, owing to his activity against the calling of the grand jury and his business relations and interests with matters that might have been taken up by the grand jury.

Mrs. V. T. Arn and son, Vernon, were among the passengers this morning for Omaha to spend the day in that city visiting with friends and looking after some matters of business.

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