Harpster Car Case to Test Out State Law

Mortgagee Claims New "Pint" Law reached the park. The program was John Lanigan, Who Has Been Work- Babbitt is now employed in a large Annual Gathering of the Old Settlers Abrogates Confiscatory Power Under the Old Statute.

From Saturday's Daily-City National Bank is the plaintiff between Fourth and Fifth street. and Sheriff E. P. Stewart is the defendant, will probably test out in the state supreme court the question as to the constitutionality of the law that covers the taking of mortgaged cars which may be caught in the transportation of intoxicating liquor. as the attorneys for the bank in the case wherein the fate of the \$2,300 car of Mrs. Bota Harpster is involved, will attack the power of seizure by the Cass county sheriff on the Playground That Has Been Supervisground that the state liquor law recently enacted and known as the "pint" law, repeals that section of the Nebraska statute under which the confiscating of cars was authorized. |

The point of law raised is one of greatest interest and the staff of atlegislature did not replace the prev- regular fall term of school. ious law and thereby eliminate the The playground that was planned to give much of an account of his ex- gan had ther cottage, "Takeiteasy" Cass counties and in the vicinity of provision that made autos (whether and carried out under the auspices perience, but later after a rest he gave is one of the natural parks of the Union settled many of the early pioconfiscation and sale, ever since the has proved one of the most beneficial that for the past three years he had the banks of the Blue river and river to establish their homes and it trial case brought from this county that has been enjoyed during the been living in this county, most of where Clell spend a good part of the is fitting that the reunion be held in 1917 to test that phase of the old summer and the attendance at the the time at Louisville where he was time in fishing. In the park was there with associations of the past

and the time taken up by the court unable to get out in large numbers. had been unable to do any more heavy the park owner, who leases them to in hearing the arguments on the momortgage could not be considered in the question of disposition of the car. The motion was taken under advisement by Judge Begley and a decision and ruling on the matter is expected

If the decision is for the defendant it will probably stop the further trial of the case here while in the part of the city. event that the motion is overruled the case will go on trial before the on which there are mortgages held by by attorneys for the plaintiff bank.

the supreme court for the final judg- planning on selling candy at the several months from a tumor and found that the park was one of the ment of that body as to the constitu- fair. tionality of the law involved.

The case will be watched with inenactment of the provision known as the past few weeks. the "pint" law.

ENTERTAINS FOR COUSIN

From Thursday's Daily-Last evening Mrs. P. T Heineman

in honor of her cousin, Miss Celeste Chaplin of Hillsdale, Michigan, who King of Superior, Nebraska, accomis here to spend some time at the penied by Mrs. C. G. Fricke and home of Dr. and Mrs. Heineman. evening of bridge and was held at for a visit here with the relatives the home of Dr. and Mrs. R. P. and old time friends. Mr. and Mrs. Westover where in the pleasant sur- King enjoyed a picnic supper last roundings of the large and spacious evening at the home of Mr. and Mrs.

while the consolation prize was to Clitherall, Minnesota, where they awarded to Mrs. A. H. Duxbury. In are to spend the month of August the gentlemen's contest the first prize in the coolness of the northland. They bury. In for his skill while William G. Kieck carried off the consolation W. Crabill and Mr. and Mrs. J. E.

pleasing setting for the party.

members of the party enjoyed an auto spend the time there fishing and entrip to the apartments of Dr. and joying a general vacation trip. Mrs. Heineman at the Coronado where a dainty and delicious luncheon was served that was enjoyed to the limit by all of the members of

COURT HOUSE QUIET

From Thursday's Dally-The court house was a very quiet of the officials out at Elmwood atgram there and the clerks and de-puties guiding the destinies of the The young m lure of the call of the picnic.

gister of Deeds Mrs. Shannon, Clerk Nebraska athletic stock. of the District Court Mrs. Golda Noble Beal, County Attorney W. G. Kieck, the young cadet has also been award-County Judge A. H. Duxbury and ed class numerals for his work at the Court Reporter L. L. Turpin were indoor meet of 1926, when he won westward to the big picnic center to ing broad jump. have a short outing and mingling with their friends in that section of the county.

ENJOY BAND CONCERT

From Thursday's Daily-

Last evening the second of the summer band concerts was staged at Garfield park and attended by a very pleasing number of the residents of the city and vicinity were present to enjoy the cooling breezes that of the very best high standard selections and pleased those who were present.

The committee in charge of the concerts will probably stage the The case wherein the Nebraska next of the concerts on Main street

ground on the

ed by Miss Fields to Close Activities Saturday.

From Thursday's Daily-

The supervised playground that has been held at the grounds of the torneys for the bank, Judge Paul Central building during the vacation Jessen, A. L. Tidd and C. A. Rawls of season, under the direction of Miss this city, will stress the question of Cordeila Fields, will close their acthe interpretation of the statutes on tivities on Saturday and the chilthis phase of the law as to whether dren spend the next few weeks in the matter of the gravest doubt. or not the law enacted by the last preparing for the opening of the

mortgaged or chattle-free) liable for of the Parent-Teachers association, the name of John Lanigan and stated state and very beautifully situted on neers who came west of the Missouri grounds have ranged from thirty to in the stone quarries there and at also a number of other cottages that to make it doubly interesting to all The case was brought to trial yes- fifty with the exception of the very which work he had continued until were owned by private individuals the old timers as well as the coming held at the school house grounds. A terday afternoon in the district court hottest days when the children were his health became so poorly that he as well as the cottages belonging to generation.

tion offered by County Attorney W. been assisted by a number of the the country and when he reached the cottages was owned by E. H. Schro. the two days which will provide en-G. Kieck and William A. Robertson, high school girls and Joe Buttery creek yesterday he decided that he der, prominent Lincoln political tertainment for young and old alike representing the sheriff. The motion with the boys, has been a very great would secure a drink from the stream leader and relative of Mrs. W. L. and during the two days of the representing the sheriff. was that as the mortgage held by the assistance in making the playground and while attempting to get down the Street and Mrs. E. H. Wescott of this union the village of Union will be a bank had not been filed until May

> es will have a hike, the last of the Mr. Eppings came to his assistance. season of play.

the children are planning on making will have to be looked after by the Saturday a real event and will stage county and in his condition will proba parade on Saturday morning from ably be placed in the hospital at once the playground down into the main for treatment.

On Saturday afternoon there will be a fair staged at the old high school court and the attack on the state law building where there will be exhibits From Friday's Dailycovering the sale of confiscated cars of the handwork of the summer season of combined work and play shown city who was operated upon the first gans at luncheon. innocent parties will be carried out and the children are also planning of the week at the Immanuel hoson an indoor circus as a part of the pital in Omaha, is reported as de-In the event of the case being de- program of the day. The public is ing as well as possible considering cided here for the defendants, the invited and should come with their the serious nature of the operation. case will without doubt be carried to pocket books as the little folks are Mrs. Sythebotham was suffering for

of the games and competitive events very successful. The patient has their vacation trip spent in the atterest over the state as it is the first in tennis, horseshoes and croquet that suffered more or less since the operatest of the law to be made since the the children have been enjoying for tion with congestion of one lung

ENJOYING VACATION DAYS

was hostess to a number of friends From Thursday's Daily-

Last evening Mr. and Mrs. Isaac children. Marion and Frederick, of year. The event was in the nature of an Nelson, Nebraska, arrived in the city home in the residential section the E. H. Wescott and this morning demembers of the party found a most parted for Denison, Iowa, where they are to be joined by Mr. and Mrs. In the playing the first ladies prize W. G. Brooks and children of Burwas awarded to Judge A. H. Dux- will be joined at Clitherall later in the season by Mr. and Mrs. John Wiles and daughters and Edgar Wes-After the games were played the cott and the members of the party

MAKING FINE SHOWING

The friends over Cass county of United States military academy at the peerless Battling Nelson and was of the candidates for chief justice their six sons are residing in Cali-West Point, will be pleased to learn rated as one of the best men that the of the state supreme court against fornia and taking advantage of the that the young man has secured a very high rank in his athletic work in the spring track work. Cadet Eller place today with the large majority was awarded the academy monogram for the excellent record that he has tending the big community day pro- established in track work in the

The young man is a son of Mrs. offices for the day. County Treasurer Charles J. Pankonin of Louisville and and eastern Colorado, where he was Miss Mia Gering, County Clerk George was appointed to the military acad- in company with Edgar Morton and Sales and Judge Belgley were the emy by Congressman John H. Moreonly officials that did not hear the head, who is very much pleased over ing some time in looking over the the showing that his appointee has Sheriff E. P. Stewart, County Re- made as a fine specimen of the young tion of Nebraska. Mr. Ellington shops, is taking an enforced vacation of Mr. and Mrs. S. A. Wiles, was oper-

In addition to his latest reward,

Advertise your wants in the Journal Want Ad Dept., for results.

Aged Man Found in Small Creek

ing Near Louisville Found by John Eppings in Bad Shape

From Thursday's Daily-

northeast of Murdock on the Greenwood-Louisville road, had occasion to take his horses to water in a small creek that flows through the farm creek that flows through the farm he is on and when he arrived at the creek he found an aged man lying in the creek and unable to get out of his unfortunate situation. Mr. Ep-Last Week Now his unfortunate situation. Mr. Eppings at once assisted the aged man from his position in the creek and took him to the house where he was given a meal and a cot to sleep on in Mr. and Mrs. D. C. Morgan Home the state. the barn at the Eppings place. Mr. Eppings also called up the office of the sheriff here and Deputy Sheriff Schaus drove out to bring the aged man in to the county farm where he From Friday's Daflyis now being cared for until it will be possible to have him taken to the Morgan returned home from a trip eration a personal touch with the past University hospital in Omaha. The of two weeks at Crete and vicinity history of the state when the county man is in very bad shape as regards where they enjoyed a cottage at will still infested with Indians and the residents of that community and was not until the arrival of the his health and suffering from sev- Holky's park, five miles from Crete the white settlers were laboring to eral maladies that makes his recovery and spent the time in an outing and lay the foundation for the present

When brought here the man was in pleasantly remember. an exhausted condition and unable The park where Mr. and Mrs. Mor- state were the pioneers of Otoe and This afternoon the afternoon class- was unable to get out again until

As far as known the aged man has In the closing of the playground no relatives or close friends here and

SHOWING SOME IMPROVEMENT

Mrs. Fred Sydethbotham of this There will also be held the last tion and which seems to have been which seems to have been of some Crete. The children are well pleased with standing and which is the phase of their summer play grounds and de- the case that is now giving the atlight in fittingly celebrating the close, tending surgeons the greater partof their time to try and correct. The many friends trust that Mrs. Sydebotham may soon be able to rally from the effects of her severe ordeal and be on the highway to permanent recovery from the illness that has covered the greater part of the last

CLARENCE ENGLISH HERE

From Thursday's Daily-

Clarence English, who fifteen to twenty years ago was one of the bright lights of the boxing world in

r. B. and R. A. Bates. Mr. English has in recent years perience in the work of soldering. been living on the Pacific coast at Los Angeles and has been at Omaha visit- CANDIDATE FOR CHIEF ing his mother, who is still making her home there, and is now enroute to Kansas City where he will visit be- From Friday's Dailyfore starting back to the west. In the

as far as Kansas City. middle west produced.

VISITS IN THE WEST

From Friday's Daily-Joe Ellington of this city has just returned from a two weeks trip out in the western portion of Nebraska brother, Harley Morton, they spend-

All local news is in the Journal.

LIKES COAST FINE

Letters have been received here from Byron Babbitt, formerly a well known ersident here, who is now living at Los Angeles, California, and Near Murdock who states that both he and Mrs. Babbitt are in the best of health and like their new home very much, Mr. company that handles fruit pit by products, a very profitable line of busienss on the coast. Mr. Babbit! is in charge of the supervision of a part of the working force that pre-

to Crete and Holky's Park

After Very Pleasant Two Weeks Stay There.

Last evening Mr. and Mrs. D. C. fishing trip that they will long very greatness of the state.

well known Weeping water i and the former a relative of Mrs. Edna Shannon of this city, has their

While at Crete Mr. and Mrs. Morgan enjoyed the opportunity of visit to the limit the festivities that have ing the reunion of the Spanish war been arranged by the committee in veterans and where they met James charge. Manners of Alvo, one of the veterans and a number of acquaintances from different parts of the state. Congressman Morehead was a speaker at this meeting and also was a guest together with Mrs. Morehead of the Mor-

There is a store at the park for the accomodation of the campers and Miss Mary Kerr, son of Mr. and Mrs. M. S. Kerr, dances twice a week that add to the social life of the colony there and Texas, where the Kerr family have as a whole Mr. and Mrs. Morgan which was removed in the opera- very nicest that could be found in the state and they will long remember mouth twenty-four years ago and is a tractive surrountings of Holky's park and of the pleasant little city of city and a nephew of Mrs. James

PLATTSMOUTH BOYS IN ARMY

Two well known Plattsouth boys, home community. Wilbur and Kenneth Boetel, the sons | In speaking of the forthcoming marof Frank Boetel of this city, are now riage the Houston-Chronicle has the serving in the ranks of Uncle Sam following: as members of the 17th infantry.

The boys have been sent to Fort o'clock.' Leavenworth where the company to Omaha and the other towns of the which they have been assigned is encentral west, was here for a short gaged in part of the training for the was awarded to Mrs. Harvey Gamer lington, Iowa, the party then going time and while here called at the C. M. T. C. that is being held at From Friday's Daily-Journal as he is an old time friend of Leavenworth from August 1st to 31st and which will give them a real ex-

the old time friends and also ap- and aunt to the fullest extent. In his prime Mr. English met some proaching the voters in the interests Mr. and Mrs. McAllister have been is a cadet of the class of 1929 at the of the real boxers of his day including of his candidacy, as the Judge is one visiting on the Pacific coast where Chief Justice Andrew M. Morrissey, occasion of their return from the west The judicial candidates have the ad- they stopped here for a visit with the vantage over the other candidates that relatives and friends. they can approach any person, regardless of politics. The race for the and Mrs. McAllister have enjoyed the chief justiceship will undoubtedly be opportunity of many pleasant visits at between Judge Morrissey and Judge Auburn, Lincoln and the nearby cities Gross at the November election.

SUFFERING FROM HAND

From Thursday's Dally-Fred H. Vincent, well known em- From Thursday's Dailyfarming localities in the western por- ploye of the Burlington in the local. This morning Miss Helen, daughter states that the wheat crop both in as the result of an abcess that has ated on at the office of Dr. H. C. Leo-Nebraska and eastern Colorado was developed in the palm of the left pold for the removal of her tonsils of the very best and that the yield hand, the abcess forming as the re- that have for some time past been was from 40 to 60 busheds to the sult of a bruise that Mr. Vincent giving her a great deal of annoyance acre and of a very fine quality and susutained at his work and the abcess and the patient was able to return among the officials who journeyed for his class first place in the stand- which will make one of the greatest being formed where it has made nec- home very much improved in health crops in the hostory of the dry farm- essary the temporary laying off of and in a few days it is hoped will be

Old Settlers Reunion is Next Big Attraction

of Otoe and Cass Counties to be Held August 20-21st

The old settlers of Otoe and Cass Last evening John Eppings, former pares the pits for market uses as counties will hold their annual re-Plattsmouth man, who is farming charcoal and also in poultry feed, union on Friday and Saturday, August 20th and 21st, at Union, where the event has been held since the first reunion in 1888, the event a ways attracting a large number of people from all parts of the two counties to gather and spend the time in visiting with each other and enjoying the opportunity of meeting the real old time residents of the county who have lived here for years

The reunions in late years have marked the fast going pioneers of Nebraska and Cass county and there are now but a scattering few of the grand old men and women of the state left to give the growing gen-

Among the earliest residents of the

The work of Miss Fields who has work. He had been wandering over the guests of the park. One of the ing program is being arranged for bank had not been filed until May the pronounced success that it has bank to the creek had fell and in so city while Mr. and Mrs. Fred Dudley. Scene of festivity and excitement as whose address was well worth the doing lodged in the small stream and well known Weeping Water residents.

The short distance from this city issures that there will be a large number of Plattsmouth people in attendance at the reunion and to enjoy

TO BE MARRIED IN TEXAS

The Plattsmouth friends of the Merrit S. Kerr family, old time residents here, will be interested in learning of the forthcoming marriage of to the fullest extent in the entertain-Miss Mary Ella Abbott to M. Leslie the weding to occur at Houston made their home for a number of

The groom was born in Platts grandson of Mrs. S. E. Kerr, one of the old and loved residents of this Rishel of this city. Mr. Kerr is a civil engineer and is now engaged with the engineering department of the city of Houston and is a young man of the highest standing in his

"Mrs. Elizabeth Barbee Abbott an Wilbur is just past eighteen and nounces the engagement and ap-Kenneth, seventeen, and the two proaching marriage of her daughter, young men decided that they would Mary Ella, to M. Leslie Kerr, son of see the world as members of the army Mr. and Mrs. M. S. Kerr. The wedand accordingly while in Omaha en- ding will take place September 2, at listed at Fort Crook in the crack 17th the Heights Baptist Temple, the hour of the ceremony being set for 8:15

ENJOYING VISIT HERE

Henry McAllister and wife of Re public, Missouri, are here enjoying a visit at the home of Mrs. Mary Burrows and with Lester Burrows and wife, Mrs. McAllister and Mrs. Mary JUSTICE HERE TODAY Burrows being sisters and the opportunity for the sisters to visit each other has been enjoyed to the utmost This morning Judge Charles A. It has been most fortunate that Lester party here were Mrs. English and Goss, one of the members of the bench Burrows has also been enjoying his James Ford, well known Omahan, who of the fourth district at Omaha, was vacation at this time and to enjoy will accompany Mr. and Mrs. English in the city visiting with a number of the occasion of the visit of the uncle

During their stay in this city Mi with other relatives, makig the trip i the auto of Mr. Burrows.

HAD TONSILS REMOVED

Mr. Vincent as the affected hand has able to be over the effects of the operbeen lanced and is very sore and ation and restored to her former excellent health.

STILL CONTINUES POORLY

From Friday's Daily-

The reports from the Immanuel ospital at Omaha indicate that Louis Kroehler of this city who has been there for the past several days is ious than was even thought at first as the examinations of the patient have disclosed a very serious condition that will mean a long course of treatment before the patient can commence to show any definite signs From Friday's Dailyof improvement.

Big Community Picnic at Elmwood Thursday

many since the very foundation of Very Large Number Present and Great Interest Shown in the Entertainment.

From Friday's Dailyion of practically all of Cass county few years. esterday on the occasion of the big miles around joined.

and from early in the morning until work in the future. late at night the crowds were in evidence on the street, all enjoying large amounts of supplies each year themselves and having the time of for the various places on the lines

a fine program of music during the a great deal of ability on the part course of the day, the concerts being of the man holding the position ig parade featured the morning portion of the program and was one that learn of the change that may poswas a real credit to the city. The picnic party had the opportun-

ity of hearing an address from Hon. outstanding figures in the state and

were two ball games staged, Green-

honors of the second game. The water fight that was staged beween Weeping Water and Elmwood proved a draw as the water pressure vas low and did not permit the fighters to do their full amount of fighting that they had come prepared to show The celebration as a whole was one that Elmwood and its people can feel proud of and which they carried out

ment of the guests from all sections of There was a large array of candi- From Friday's Dallylates present, practically all of the and female.

CHANNEL DEFEATS OLAF

Boulogne, France, July 29 .- The English channel has defeated Olaf Farstad, Norwegian swimmer. He started at 10:43 o'clock yesterday morning at cape Gris-Nez to swim across to Dover, but was forced to give up the attempt at 3 o'clock this ber in the future as one of the most

Phone us the news.

Change Made in Burlington Store Dept.

C. E. Swanson of Casper, Wyoming, Here to Take Place of W. F. Huneke, Former Storekeeper.

This morning J. G. Stewart, general storekeeper of the Burlington, arrived in the city in company with a number of the minor officials of the department and also C. E. Swanson of Casper, Wyoming, who comes to this city to take the position of storekeeper at Plattsmouth in succession to W. F. Huneke, who has just resigned his position here.

The new storekeeper has been on the Casper division of the Burlington for some time and has a very clear knowledge of this department of the railroad work and should make a very capable successor to Mr. Huneke, who has so capably filled the Elimwood was the center of attrac- office of storekeeper here in the last

The change in the office has been community day that was staged by pending for several days but it n which all of the residents for many new storekeeper here today that the local office was aware of the gentle-The observance was held in the city man that would have charge of their

The store department here handles heir lives in the hospitality afforded west and is one of the most important positions for the railroad work The Weeping Water band furnished in this part of the west and requires

The friends of Mr. Huneke and his very estimable family will regret to sibly mean the removal of the family to some other point if Mr. Huneke decides to continue his railroad work. A. J. Weaver of Falls City, one of the In the years that the Huneke family have lived here they have been promient in the social and religious life of the community and have by their factor in the community life that will to seek a home elsewhere. Mr. Huneke personally has enjoyed the warmest friendship of a large part of the residents of the community and has always proved a genial and clever gentleman in every way and one that has to a marked degree the esteem and respect of all those with whom he has come in contact.

ENJOY FRIED CHICKEN

Last evening Sam Moye, the proseekers after the suffrage of the duce dealer, was the host at a very oters being in evidence and present- delightful fried chicken dinner that ing their case to the voters, both male was held at the Hotel Perkens and enjoyed by some five of the friends of Mr. Moye. The chicken had been prepared in true southern style by Mr. and Mrs. Brantner, the proprietors of the hotel and with the array of other good things provided made the event one of the greatest pleasure to all of the members of the party and the occasion will be one that all will very pleasantly remem-

> delightful events in recent weeks. All local news is in the Journal.

