

The Plattsmouth Journal

VOL. NO. XLV

PLATTSMOUTH, NEBRASKA, THURSDAY, JULY 18, 1929.

NO. 48

Seek Injunction Against the Curb Oil Pumps

City of Plattsmouth and Byron Golding Made Defendants in Court Action Filed Today

Another chapter in the long discussed proposition of curb gasoline pumps along the main traveled streets of the city, was added today when an action was filed in the district court in which Henry Ofe is the plaintiff and the city of Plattsmouth, Mayor John P. Sattler and each of the ten councilmen as well as Byron Golding are made defendants in the action.

The petition of the plaintiff, filed by his attorney, W. G. Kleck, states that on July 8th at a meeting of the city council that body approved a bond and contract with the defendant, Golding, to permit the construction and installing of two curb gasoline pumps along the property of the defendant on Chicago avenue. The petition attacks the matter by claiming that the council acted without lawful authority under section one of ordinance No. 23 of the city of Plattsmouth, passed and approved in 1921, granted the permission to install the two gasoline pumps. It is further alleged that the city has accepted an inadequate bond to cover the liability on the erection and installing of the pumps.

The petition further sets forth the provisions of the ordinance that no person shall erect a building or obstruction in the streets of the city and if so the same shall be deemed a nuisance. That the mayor and council had no authority to grant this permission to erect a pump is contended in the petition filed by the plaintiff.

It is further alleged in the petition that the pumps in question are located on one of the main streets of the city, a part of Nebraska highway No. 75, that the pumps and their location forms a nuisance, is dangerous and a menace to travel.

The petition asks the permission for the placing of the pumps be cancelled and that mandatory injunction be granted in the matter by the court and the removal of the pumps be ordered by the court.

The placing of these pumps has occasioned some discussion and Mr. Golding has contended for several years for the placing of the pumps and was refused several times despite the fact that curb pumps have been placed at other places over the city.

BIG HAIL STORM

Julius A. Pitz, one of the long time and prominent residents of this city, was out on a surveying expedition with a Journal representative on Saturday and noticing the day, July 13th, remarked that he well recalled that date as it was on July 13, 1883, that one of the worst hail storms that ever visited this section of the state came down and left in its wake destruction of practically every kind of crop.

The storm Mr. Pitz states, came up short before noon and for almost an hour the bombardment of the hail continued, the hailstones being large and causing untold damage to every variety of grain, corn, fruit and vegetables and riddling the trees of all leaves. When the storm had passed on Mr. Pitz states, there was little left to tell the story of the once promising crop and that year was down on one of the shortest in the history of this section and the storm covered practically all of this county as well as sections of the adjoining localities.

At that time Mr. Pitz, a young lad, was residing at the farm south of this city and where his parents had been farming at the time and the storm but afterwards there was little left to show that there had ever been even the promise of a crop there.

This severe storm will undoubtedly be well recalled by the older residents here and particularly those who were farming at the time and had the misfortune to go through the storm.

RETURNS FROM THE EAST

From Monday's Daily— This morning Mrs. Henry Herold and daughter, Miss Ursula, returned home from a visit through the east with relatives and friends. Mrs. Herold having gone east the first part of June to attend the commencement exercises of Smith college, Miss Ursula having been a member of the graduating class, the exercises being held on June 15th at Northampton, Mass.

Mrs. Herold visited for some time with her son, Attorney Matthew C. Herold and family at New York City and following the graduation exercises at Smith college Mrs. Herold and daughter spent a short time at Newport, Rhode Island, with Captain and Mrs. Hamilton Thorne, the latter formerly Miss Lillian Dwyer of this city. Before starting west, Miss Ursula was a guest of a friend at Martha's Vineyard, Mass., where a group of the Smith college girls enjoyed one of the farewell parties of the school life.

TAKEN TO THE HOSPITAL

From Monday's Daily— Yesterday afternoon, Henry Lybber, who is doing a six months sentence in the county jail, was taken with an attack of appendicitis and was hurried to the University hospital at Omaha where he will be given treatment and undergo an operation for the malady. Lybber is one of the men apprehended here some months ago and charged with having taken part in the robbery of the chicken houses at the Charles Garrison home northeast of Union, he being later apprehended in this city.

Dog Derails Gas Car for Burlington

Canine Is Killed and Workmen on Gas Car Spilled Over the Surrounding Landscape

Yesterday afternoon a rather unusual accident occurred in the Burlington railroad yards a short distance south of the passenger station when a dog caused the derailment of a gas car used by the section gang in their road work and spilled the workmen off the car and giving them a number of severe bruises as well as inflicting a bad cut on the head of Mike Kearns, one of the workmen.

The dog was owned by Mike Kearns and had followed him and his son, Albert, to work and as they started off on the gas car for some work on the section east of the railroad bridge, the dog followed along the tracks and as the car was gaining speed the dog suddenly leaped onto the track in front of the car and in an instant the car had struck him, killing the dog and hurling the car off the track.

On the car were Markon Rouse, Anton Hula, Mike and Albert Kearns and William Newman. As the car was thrown from the track the elder Mr. Kearns fell and his head struck against a tie along the track and with the result that the severe cut on the head was inflicted and which made necessary the services of a surgeon to close.

RUSH CONCRETE WORK

From Monday's Daily— Startlingly midnight last night the contractors engaged in the placing of the driveways and curb pumps along the east side of Chicago avenue near the K. of C. hall, started in on their work and rushed it to completion in order to circumvent the weather and also in the view of possible litigation that has been threatening. The work was carried out with speed and dispatch and as the result this morning all of the curbs, driveways and guard rails were in and the work standing completed as far as this part of the job was concerned.

This new location was recently granted by the city council to Byron Golding, the owner of the old Kinser property for the past few years and who has had a long struggle with the city to secure the necessary permission to place the curb pumps and open an oil station at this point. Since the granting of the permission by the city the threat of other litigation has kept the work being operated at top speed on the new filling station as far as the weather would permit and now Mr. Golding has the station all ready for operation in supplying the passing public with gasoline.

CELEBRATES BIRTHDAY

Saturday evening Mrs. William Simons entertained a number of boys and girls honoring the birthday of her daughter, Irene. One feature of the evening was the large birthday cake with sixteen glowing candles.

The evening was spent in playing many thrilling games. At a late hour dainty and delicious refreshments were served. Mrs. Simons was assisted by Mrs. Tidvely. The guest of honor received many beautiful gifts which will help her remember the happy occasion.

Those who attended the party were: Ann Duda, Beatrice Krejci, Conda Trively, Theresa Hutchinson, Katherine Hull, Harriett Simons, Virginia Trively, James Zitka, Henry Krejci, Everett Fulton, Glen Hutchinson, Paul Henderson, Homer Spangler, Frank Slatinsky, Kenneth Trively and the guest of honor, Miss Irene Simons.

ADDRESSES ROTARY CLUB

From Tuesday's Daily— This noon at the weekly luncheon of the Rotary club held at the Barclay Inn Father Stanley Jones, rector of the St. Luke's Episcopal church was the guest of honor of the occasion and gave a very interesting and inspirational talk along the lines of the patriotic thought of the day. The Rotary quartet composed of Harry G. McClusky, Frank A. Cloldt, L. O. Minor and L. D. Hiatt gave two very fine numbers that all enjoyed to the utmost.

Landslides on M. P. Delays Service from South

Lines Tied Up for Several Hours as Landslide Near Paul Closes Main Line of Road.

From Monday's Daily— The northbound trains over the Missouri Pacific due in the city this morning were delayed for five to six hours as the result of landslides which occurred last night on the main line of the railroad south of Nebraska City and which tied up traffic completely.

The worst of the slides reported was near Paul, south of Nebraska City where a freight ran into the slide last night and was derailed, but without loss of life. The derailment made necessary the services of a wrecker to remove the train and a force of men and a work train to get the slide cleared up so that the traffic could be resumed and it was not until this afternoon that the train service was resumed.

The slide was caused by the very heavy rains that has softened the banks along the tracks and caused them to crumble onto the tracks and block them for some time, but this has proven the most serious that the Missouri Pacific has experienced this spring.

These slides are frequent on the Nebraska City-Peru line of the Burlington and several times this season that line has suffered very much from the effects of the slides in the vicinity of Rulo.

ATTEND ANNIVERSARY

Mayor and Mrs. John P. Sattler motored to Omaha on Saturday evening with their guests who are here from Pekin, Illinois, they being Mr. and Mrs. Carl Andrea, Mrs. George Schwinn, Miss Margaret Carver and Mrs. L. R. Sprecher and Mr. and Mrs. William Kuhns and accompanied by a number of the other relatives and friends. The jolly party visited at the home of Mr. and Mrs. Charles Lohmann in Omaha to assist in the celebration of the thirteenth wedding anniversary of this estimable couple and the event, which will long be very pleasantly remembered. Mrs. Lohmann was formerly Miss Amanda Sattler, daughter of Mayor and Mrs. Sattler. The party comprised in addition to the Illinois visitors and Mayor and Mrs. Sattler, Mr. and Mrs. W. H. Mason, Mr. and Mrs. L. R. Sprecher and Mr. and Mrs. Bernard Meisinger. On reaching Omaha the local people were joined by Mr. and Mrs. Fred Herbster and Mr. and Mrs. Harley Burdick. The Illinois guests who have been here for the past week at the Sattler home departed Sunday morning for their home at Pekin.

RECEIVES SAD NEWS

From Monday's Daily— This morning Mrs. A. S. Christ received the sad news of the death yesterday at Jefferson, Iowa, of her brother, Sylvester DeWitt, aged 35, whose death occurred suddenly there Sunday. The message came as a great shock to the sister as she was unaware of any illness until the news of his death.

The deceased is survived by his wife and two children and has for a number of years been engaged in business at Jefferson, where he was very active in the business life of that community.

Mr. and Mrs. Christ are to leave this evening for Jefferson to be with the bereaved family and will remain until after the funeral services of the brother.

In her loss Mrs. Christ will have the sincere sympathy of the many friends in this community in the loss that has come to her.

ENTERS GUILTY PLEA

From Tuesday's Daily— Last evening Judge Charles L. Graves held a night session of the police and justice court and taking up the complaint that was filed by City Attorney J. A. Capwell against Cyril Powell, a young man of this city. The defendant was charged with indecent exposure, the action following a complaint received by the police and made by a lady residing in the north portion of the city who claimed the offense charged had occurred Sunday evening. On the reading of the complaint the defendant entered a plea of guilty to the charge as preferred and was accordingly given a sentence of thirty days in the county jail for the offense.

ATTENDING ROTARY MEETING

From Tuesday's Daily— The presidents and secretaries of the Ninth district of the International Rotary are meeting at Norfolk today and Wednesday and as the representatives of the local club President J. S. Livingston and Secretary P. T. Heinemann are in attendance and meeting with the officers of the other clubs of western Iowa, Nebraska and South Dakota. The meeting is being attended by the district governor of the Rotary.

HEAVY RAIN IN COUNTY

From Monday's Daily— Travelers reaching this city today from out in the county report a very heavy rain in the south and west sections of the county, particularly in the vicinity of Elmwood and Weeping Water where the storm reached one of the heaviest rainfalls of the season. While no destruction or severe damage was reported from the storm the Weeping Water creek was swollen to flood tide along its course and at Nehawka this morning was breaking out of the banks and washing considerable of the fill that is being made there on the new road projects.

Women Report Annoyance from Strange Men

Reports from Several Parts of City of Women Being Followed— One Lady Pursued Home

For some time the members of the night police force have been engaged in trying to get trace of a man or men who were reported at different times as stopping women in the residential sections of the city, and particularly has this been true in the south section of the city. The party so far reported has answered the same description and probably has been the same man in each case, but his identification has not been completed as yet.

The police last night had a man reported for this offense who does not seem to fit in with the description given by the women who have been stopped in the south part of town. This man approached a lady on one of the main streets in the north part of the city and his remarks alarmed her and she ran for home, with the man in pursuit, but he was unable to catch the lady, as she reached home safely and members of the family called police and Officers Pickrell and Hadraha were able to get a line on the man, who has been here only a short time.

City Attorney J. A. Capwell is preparing a complaint to be filed in the case.

Death of Former Resident of This City

George Hraskey Died Saturday at St. Catherine's Hospital at Omaha After Short Illness

From Monday's Daily— The death of George Hraskey, former resident of this city, occurred on Saturday afternoon at 2 o'clock at the St. Catherine's hospital at Omaha where he has been for the past several days suffering from a complication of ailments that made his case one of the gravest nature and gave but little hope of his recovery.

The deceased was born in this city where the family resided for a number of years and later removed to various points and George has for six years made his home in Omaha and has been employed by the Burlington at that place.

Mr. Hraskey is survived by his wife and a son and a daughter as well as two brothers and two sisters, Anton and Joe Hraskey and two married sisters, Clara and Mary. Both parents have preceded him in death.

DOING VERY NICELY

From Tuesday's Daily— The reports from the Methodist hospital last evening regarding the case of James Benedict, twelve-year-old son of Mr. and Mrs. Roy Benedict of this city, were to the effect that the lad was doing just as well as possible in his very severe case of appendicitis and while today is the crisis in his case, he is thought to be doing very nicely. The boy was in very bad shape when taken to the hospital as he was suffering from a ruptured appendix and which caused complications to the operation that have given the attending surgeons some apprehension but his splendid rally has greatly encouraged them as to the outcome.

NICE SWEET CORN

From Wednesday's Daily— This morning Jacob Cook and son, Bobbie, who reside south of this city, brought in a very nice showing of the new crop of sweet corn and which they presented to the Journal publisher and will furnish the addition to a fine meal. Mr. Cook has some of the earliest corn in this locality and Bobbie, while young in years has assisted in planting and caring for the corn and has a right to be well pleased with the result.

We print everything but money and butter. Phone your order to No. 6. Prompt service.

Engineers to Prepare Work for Paving

State Department of Public Works Has Force Here to Mark Corners of No. 75 Paving

From Tuesday's Daily— The advance guard of the forces that will be sent in the paving U. S. highway No. 75 from this city south to Union and from Omaha to this city, are getting on the job and the state department of public works has a force of engineers here to mark out the line of the paving, especially the location of the corners along the line of the highway and in this work County Surveyor Fred Patterson is assisting in getting the locations made.

The local force will have charge of the work from this city to the Otoe county line while a similar force is being used in handling the road survey and marking in that county. One of the matters of the road construction program is that survey is being made of the highway that runs directly south from this city and passes east of Union instead of continuing on through the town of Union as at present and which is a straighter and more direct route to Nebraska City and eliminates many very bad curves and dangerous crossings. There has been a great deal of urging on the location of the highway along this route rather than the present one and the survey would seem as though this route was being considered on the future road program by the state department.

The active paving work is being held on the necessity of having the detours graveled before the highway is turned over the paving contractors and their force of workmen and the rainy weather of the past two weeks has caused more or less delay in getting the road in shape and making several important changes in the way of culverts and bridges along the route that will be temporarily used as the highway while the paving is on.

GOES TO OKLAHOMA

The many friends here of William G. Davis, former executive secretary of the local Chamber of Commerce, will be interested in learning that Mr. Davis, who has for the past two years served as secretary of the chamber at Greenville, Ohio, is soon to locate in Oklahoma. Mr. Davis was selected as the secretary of the Chamber of Commerce at Picheo, Oklahoma, and will take up his duties on August 1st.

In speaking of the resignation of the Bulletin of the Greenville Chamber of Commerce has the following appreciation of Mr. Davis: "Our Secretary, William G. Davis, has been having exclusive control over the columns of the Bulletin, in his reticence he has had nothing to say of his personal successes and achievements in his work while among us. President Charles F. York and the Treasurer have arranged with the printers to say a few words this time without the knowledge of his 'retiring' secretaryship."

"We know full well that in leaving us for his new field of labor, our Secretary is creating a vacancy that is going to be most difficult in which to follow. Since coming to Greenville, Mr. Davis, by his untiring efforts and ever ready willingness to do the best things possible for our community, has stirred the place up to the highest level of activity. Mr. Davis is a real secretary, and Greenville has in numerous ways profited for his having been among us, and he will leave everlasting marks of his accomplishments. We thank him, and our best wishes go with him and his most estimable and helpful companion, both of whom will be missed to the community, and commend them to the good people with whom they will cast their lot in future."

SETTLES FLOOD DATE

In conclusion of the mooted question of when the flood occurred in this city that caused the drowning of several horses in the J. W. Sage livery barn, the opinion of Attorney J. M. Leyda as to the date seems to be sustained both by Henry Trout and the latest contribution on this matter. W. A. Becker, of near Myrard, has in his possession a diary of his father, the late John H. Becker, and from this an entry practically settles the date as Mr. Becker has noted the flood incidents in the following: "July 6, 1898—High water at Plattsmouth, James Sage lost all of his horses in livery stable and merchants lost heavy in their cellars."

In those days the cellars were not regarded as highly as they are in these latter days.

Read the Journal Want-Ads.

JOHN BAJECK ILL

From Tuesday's Daily— The many friends over the city of John Bajeck, well known cigar manufacturer, will regret to learn that he has been quite ill at his home on high school hill for the past few days, suffering from an attack of summer flu and which has made his condition very serious for some time as the patient is running a high temperature and requires constant attention. It is hoped, however, that in the next few days he may take a turn for the better and be able to be on the highway to recovery.

Firemen Will Stage Water Fight Soon

Fire Boys, However, Will Not Start Competition With Natures Forces in a Water Fight

From Tuesday's Daily— Since the akas hurled by Secretary C. Smith of the fire department a water fight between members of the department, the chief has been busy planning the organization of his part of the contest and states that he believes action are stronger than doubt be presented this season and that the chief has a large vocabulary at that. The plans for the water fight to be held some evening during the summer preceding the regular Wednesday evening band concert, has been interfered with to some extent by the fact that water has been in the past two weeks been very busy on the water fight proposition and has left little chance for the firemen to get in on any display of their prowess in the water line or at least in public.

The water fight, however, will no doubt be presented this season and will be a real feature with the hardened foremen taking the full force of the ninety pound pressure streams of water hurled by the two forces on each other. "Doc" and Claude can be depended on organizing two real fighting teams and when they get all set out for a water fight that will be long discussed as a great battle between the firemen.

LEARNS OF SISTER'S DEATH

From Monday's Daily— The message was received here this morning by Henry Mauzy of the death last night of his twin sister, Mrs. Elizabeth Martin, who passed away at her home at Crab Bottom, a short distance from Monterey, Virginia. Mr. Mauzy had received letters of the serious condition of the sister just a few days ago and planned to leave Tuesday for Crab Bottom to visit with the sister when the family message came to check the plans. Owing to the distance and short time it will be impossible for Mr. Mauzy to reach there for the funeral services and the trip will have to be abandoned by the bereaved brother. Mrs. Martin was seventy-seven years of age and was born and reared in the foothills of the Blue Ridge mountains in the upper Shenandoah valley and where she received the last call to rest. Mrs. Martin is survived by the husband and three daughters and two sons.

ENJOYING THE WEST

Ted Hadraha, who is enjoying an auto tour of the west in company with a party of young men who are also graduates from Northwestern, writes that the party is having a wonderful time and have reached Yellowstone Park, one of the national wonderlands of the nation and where the travelers each day find some more alluring feature of the park revealed. The auto party were planning on making the trip to the northwest from Yellowstone park over the Big Horn mountains but the snow there has interfered with their plans and they will go north through Montana to Butte and thence westward through the passes of the Bitter Root range and on to Spokane, Washington, the next stop of any length that they make after passing from the park. They will then go onto the Pacific coast and enjoy a trip down the west coast to southern California before turning their car eastward for the return journey to Chicago.

DEPART ON AUTO TOUR

From Tuesday's Daily— This morning Mr. and Mrs. John W. Crabill and daughter, Miss Alice, and Oliver Schneider of Cedar Creek departed on an auto tour that will cover a great deal of the territory in the Missouri valley and take them through a varied section of the middle west. The party will leave from here for the southern portion of Missouri and northern Arkansas where they will spend a short time and then will drive along the Mississippi to Burlington, Iowa, where they will be joined by Mr. and Mrs. W. G. Brooks and family and will then go to Chitrow, Minnesota, where they will enjoy short stays and a fishing trip in the Minnesota lakes and from there will return home to this city and Burlington to take up the daily grind.

Plattsmouth School Man is Married Today

Ceremony at Minden When Miss Garnet Marie Jorgensen Weds R. Foster Patterson

From Wednesday's Daily— This afternoon at 2 o'clock at the home of Mr. and Mrs. Charles J. Jorgensen, two miles south of Minden, Nebraska, occurred the marriage of their daughter, Miss Garnet Marie to Mr. R. Foster Patterson of this city.

The Jorgensen home was very tastefully arranged with the colorful beauty of the summer flowers and amid this charming scene the marriage lines were read by Rev. Glass of the United Presbyterian church, the double ring service being used in the celebration of the marriage vows.

The bride was attended by her sister, Miss Ruby Jorgensen of Lincoln, while Mr. Patterson had as his best man, Walter K. Beggs, of Gravelle, Arkansas, a lifelong friend of boyhood and college days, who is now superintendent of schools at Sumnerfield, Kansas. Only the relatives of the bride and groom and a few intimate friends were present at the wedding. Due to the fact that Mr. Patterson's relatives are in the southland, the parents were unable to be present, the relatives of the groom present being two brothers, G. D. Patterson, attorney of Chicago and S. J. Patterson, director of athletics at Arkansas State college.

This happy event is the culmination of a school day romance which commenced when both the bride and groom were students at Tarkio college at Tarkio, Missouri, Mr. Patterson graduating in 1927 and Mrs. Patterson in 1928.

The bride is one of the charming and accomplished young ladies of near Minden, a graduate of the high schools of that place and also of Tarkio college. During the past year she has taught science in the high school of Burchard, Nebraska. The family is one of the most prominent in Kearney county, where Mr. Jorgensen is engaged largely in cattle feeding and was chosen as one of the master farmers in the county in 1927. While a student at Tarkio the bride took a large part in the activities of the school and was graduated with scholastic honors.

The groom is a son of Dr. and Mrs. Samuel J. Patterson of Morrilton, Arkansas, who passed away in the past year at the First Presbyterian church. He is a graduate of the high school of Fort Morgan, Colorado, and of Tarkio college. For the past two years Mr. Patterson has been head of the history and debating departments of the local high school and has been one of the most efficient and popular members of the school faculty and held in the highest esteem by his associates in the faculty as well as the student body of the Plattsmouth high school.

Mr. and Mrs. Patterson will enjoy a honeymoon in the Ozarks of northern Arkansas and will be at the home of the groom's parents at Morrilton for some time before returning to this city. On their arrival here Mr. and Mrs. Patterson will be at home to their friends at the Herold apartments where the groom has a home awaiting the arrival of the new helpmate.

The happy wedded couple will receive the most sincere well wishes of the many friends in this city for the future years that they may be filled with the happiness and successes that they so well deserve.

HIT WITH GOLF CLUB

Sunday while several youngsters were playing around on the golf course of the Country club, Robert, seven-year-old son of Mr. and Mrs. Peter Gradoville, was very severely injured when he was accidentally struck on the left side of the face by a golf club in the hands of Earl Boetel, aged twelve. The two boys had gone onto the course while there were few of the club members present and started to play around and Robert had come to close to where the older boys were playing and as young Boetel swung at the ball the club caught Robert on the right side of the face and partially on the nose.

The boys secured the assistance of Louie Horsack, caretaker of the course and who hurried the lad on to the city where the injury was dressed by Dr. E. J. Gillespie and it was found that the nose of the boy was broken and a gash several inches long laid open on the left side of the face. As the result of the accident both eyes of the young lad were swollen shut and today he is suffering very much from the effects of the accident.

VISITING AT LINCOLN

The State Journal has a very attractive picture of Miss Catherine Schneider of this city and her hostess, Miss Dorothy McInley, at the home of the former in Lincoln where Miss Schneider has been a house guest for the past week. Both ladies are members of the Delta Delta Delta sorority at the University of Nebraska.