

# The Plattsmouth Journal

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NO. 5

## Supreme Court Cuts \$3,000 from Elbert Wiles Award

### Places \$6,000 as Amount of Damages to Land Instead of \$9,000 as Awarded by Jury Here

From Thursday's Daily—  
The litigation over the damages awarded to James Elbert Wiles of this city, for the construction of a part of highway No. 75 through his 385-acre farm south of this city, has resulted in the supreme court of the state of Nebraska cutting the amount of the damage recovered from \$9,000 as given by the jury in the district court, to \$6,000. The decision of the court was announced at the Wednesday session of the court and unless Mr. Wiles files a remittitur for \$3,000, the case will be remanded.

The case is one growing out of the changes made in highway No. 75 just at the south boundary of the city where state and federal engineers made changes in the road to cut through a portion of the land of Mr. Wiles for the new paved highway. The state started condemnation proceedings and a board of appraisers was appointed by the county court as required by law, they setting the damage at \$8,000. This decision was appealed by both the state and Mr. Wiles to the district court where a judgment was given for \$9,000 in favor of Mr. Wiles. The case in the district court was carried to the state's highest tribunal by the state department of public works and with the result that the award has been cut some \$3,000.

Among the points of law brought out in the high court's opinion was the statement that compensation for land taken by right of eminent domain is measured by its market value at the time taken, and no evidence is admissible for its peculiar value for special reasons to its owner.

Wiles had also claimed damages to land not cut off by the road, but the court says "the owner is not entitled to damages to the remainder of a large tract of land not taken under eminent domain when damages to such land are of the same character as those suffered by all owners of land in that vicinity from the construction of a federal highway."

## DOINGS IN POLICE COURT

From Thursday's Daily—  
This morning Judge Charles L. Graves, who had planned to enjoy the day in the contemplation and study of the life of Abraham Lincoln, was called upon to preside over the hearing of several cases in the police court as the result of several persons who had drunk well but not wisely.

Officers Joe Livershal and Dave Pickrel last evening gathered in a man giving the name of Joe Brady, who was in the advanced stages of intoxication and as the result was escorted to the city jail to recuperate and to face the mill of justice on this grand and glorious day. The prisoner stated he was from Minnesota altho his name was not apparently one that is familiar in the land of the Osions, Johnsons and Nelsons. Joe was given a fine of \$10 and costs by Judge Graves and sent forth with the warning to go and sin no more.

Another of the callers at the court was George Pick, arrested Wednesday afternoon by Chief of Police Elliott for having too large a cargo of distilled corn on board and George not being used to the potent spirit found the going rough and which attracted the attention of the police. The court whispered the mystic words, "Ten and Costs" to George at the morning session at which was agreeably settled to satisfy the feelings of outraged justice.

## STILL SUFFERS FROM INJURY

From Thursday's Daily—  
Henry Heigl of this city, who was injured some weeks ago at Homer, Nebraska, while at work on a pipe line gang, is still feeling very much the effects of the injuries and while expecting to return home the first of the week from the St. Vincent hospital at Sioux City, has found that his condition will not permit. The young man is being looked after by a specialist, but it is found that the blow received on the side of the face and head by Mr. Heigl has resulted in a partial paralysis and his vision has been affected by the accident which has injured the nervous system of the young man and it is to correct this that he is now being given treatment. Mr. Heigl has been informed that he will be unable to perform any manual labor to any extent for a long time and which may cover several years.

## UNDERGOES OPERATION

Mrs. Henry Jasper who has been in the hospital for the past few days, was operated on Wednesday for goiter from which she has suffered for some time. The operation was very successful and the patient came through the ordeal in fine shape and it is thought is doing just as well as possible under the conditions.

## HAVE PLEASANT MEETING

From Thursday's Daily—  
The Junior Catholic Daughters of America were very pleasantly entertained last evening at the home of Miss Lois Bestor, with whom was associated Theresa Birel and Ruby Bennett as hostesses. The event was in the nature of a valentine social and the games enjoyed by the jolly group of young people were in keeping with this event, Buncho being one of the features of the evening and in which the first prize was awarded to Dorothy Ziska while the consolation fell to Helen Woolcott. The young ladies had as a guest of the evening Anna Margaret McCarthy. At an appropriate hour the hostesses served very dainty and delicious refreshments.

## High School Pays Tribute to Lincoln Today

Rev. H. G. McClusky Is Speaker at Convocation—Students Give Musical Program.

From Thursday's Daily—  
Rev. H. G. McClusky delivered the address to the student body of the high school today honoring the birthday of Abraham Lincoln. Rev. McClusky emphasized the "Inner Life of Abraham Lincoln," in which he described his struggle for an education, the element of romance in his early life and his religious side. The close attention given the speaker by the students was an indication of the pleasing reception which Rev. McClusky received. The musical part of the program featured the soloists and girls quartet which sang at Peru last week with such outstanding success under the direction of Miss Williams. The orchestra and boys and girls glee clubs were also heard and the entire musical program heartily enjoyed by the student body who are justly proud of the record made by these musicians and the honor which they have brought to the school.

The program follows:  
Stop March.....Bennett  
Migninette Overture.....Baumann  
Orchestra

The Asra.....Rubenstein  
Margaret Shellenbarger

The Lure of the Gypsy Trail.....Jones  
Girls Glee Club

Address, "The Inner Life of Lincoln"  
Rev. H. G. McClusky

To Sylvia.....Schubert  
David Robinson

The Inn.....Schubert  
James Begley

Where Dawn and Sunset Meet.....Lieurance  
Quartet: Jean Hayes, Margaret Shellenbarger, Maxine Cloldt, Constance Rea.

Dedication.....Franz  
Jean Hayes

Drink To Me Only With Thine Eyes.....(A Capella)  
Boys Glee Club

Accompanists: Margaret Nelson and Vestetta Robertson.

## TO OPEN COUNTRY CLUB

From Friday's Daily—  
The Elks lodge of this city at their meeting this week decided that as there is but one meeting between now and the first of March when the activities of the lodge are transferred to the country club, that they would close the club house on North Sixth street and have their meetings and other activities at the country club home. L. L. McCarthy, one of the members of the lodge and also active in the country club and golf club, will take over the management of the club house and expects to move there the first of March with his family and for the coming summer they will supervise the club house and grounds and also care for the concessions at the club which last year were cared for by A. W. Cloldt.

The country club was a very popular place the past season and under the capable management of Mr. and Mrs. McCarthy should again duplicate the success of the past year in the way of a most delightful gathering place for the Elks and their friends as well as the non-Elks that belong to the golf club and country club association.

## COURT HOUSE HAS HOLIDAY

From Thursday's Daily—  
The court house was a place of quietude today with the greater part of the offices closed in honor of Lincoln's birthday, altho an occasional official could be seen delving into the office work. Sheriff Reed, to whom holidays are just another day in the work of his office, was kept on the job looking after the calls that are a daily part of his work. Other offices not connected with the law enforcing department of the county government, however, could enjoy the day by laying off.

## Boy Scouts and Dads Enjoy Fine Get Together

### Annual Banquet of Scout Week Held at K. of C. Hall Last Evening —W. H. Browne, Speaks

From Friday's Daily—  
The crowning feature of Boy Scout week was held last night at the Knights of Columbus hall on Chicago avenue when the annual Father and Son banquet was held with some seventy being present to enjoy the most happy event. The banquet was arranged and served by the members of the Catholic Daughters of America and in every way was all that could be desired, the settings being most attractive, a very tempting menu provided and the serving carried out in the most pleasing manner and the ladies can feel that they have done themselves proud and added much to the success of the Boy Scout week program.

The settings of the banquet were in keeping with the patriotic nature of Lincoln's birthday, red, white and blue streamers on the tables, miniature log cabins and in honor of the approach of Washington's birthday, tiny cheery trees were used in the decorations. It was a most striking picture with the bright faces of the Scouts seated with their dads or the fathers invited for the evening and all of the party, both young and old, entered into the spirit of the occasion.

The banquet was presided over by B. E. Woodward, physical director of the city schools, who made a very happy selection for this important position and introduced the various speakers and participants in the banquet.

The salute to the flag was given by Aulton Rolland and in which all of the members of the banquet party joined and then the strains of "America" was sounded and to which the members of the banquet party took part. A very pleasing saxophone duet was given by Robert Hall and Herbert Minor, two of the active scouts and which demonstrated that in the outdoor life the Scouts have not neglected the finer arts.

The greetings of the members of the Scouts to the Dads was given by Richard Spangler in a very clever and able manner in which he expressed the appreciation that all of the Scouts felt for the presence of their fathers and friends at the happy occasion.

The response for the Dads was given by Attorney W. A. Robertson in his usual able manner and which expressed the delight that these get together occasions bring to the Dads and urged a closer tie between the "Six Feet and Twelve by Twelve," was the theme of the remarks of James Begley, Jr., and who compared the life of Abraham Lincoln with the twelve laws of Scouting, showing by facts and incidents in the life of the civil war president, how he had carried out in his duties the twelve laws that the Scouts are bound by in their work. The civil war president having fully measured up to the qualities that are demanded of a Scout.

Scoutmaster J. R. Reeder of the local troops, spoke briefly on Scouting, paying a very pleasing tribute to the work of his assistants, Scoutmasters Ray Larson and Roy Perkins and assistant Scoutmaster Wilbur Hall, as well as telling some of the work of the local Scouts and their hopes and ambitions in the future in this great work.

Robert Mann, who was invested the past summer as an Eagle scout, was present and gave a very interesting exhibition of producing fire by friction, a most striking piece of work that is taught in Scouting. E. H. Wescott, chairman of the local Scout committee, read letters of greetings from former Scoutmasters C. L. Feden of Joplin, Mo.; Irving Wiltse of San Juan, Porto Rico, and C. L. Sloan of Alexandria, Nebraska, in which the former leaders here extended their greetings and well wishes to the Scouts of Plattsmouth.

The main address of the evening was given by W. H. Browne of Lincoln, freshman coach at the University of Nebraska and former coach at the Lincoln high school, and one of the outstanding leaders in the athletic work of the state schools and colleges. Mr. Browne spoke of the relation of father and son, the need of close confidence and touch of the parents and child for the betterment of both and the interest and care that the father should have in the boy as he advanced into manhood and in his future life. The address was a very fine contribution to the evening of pleasure and interest and Mr. Browne was warmly received at the close by the Scouts and the guests of the evening.

The formal program was closed by taps and the Indian benediction which was offered by Wilbur Hall, assistant scoutmaster and a veteran scout of this city. The local Scout organization is composed of J. R. Reeder, deputy district scoutmaster, Ray J. Larson and Roy Perkins, scoutmasters, Wilbur Hall, assistant scoutmaster, Robert

Mann, assistant junior scoutmaster, and the executive committee composed of E. H. Wescott, F. I. Rea, P. T. Heinemann, T. H. Pollock, L. O. Minor and W. G. Kleck.

## MARRIED AT CHICAGO

From Thursday's Daily—  
The old time friends of the H. M. Bushnell family in this city, will be interested in learning of the marriage today at Chicago of Herbert M. Bushnell, 38, president of the United States National Co. of Omaha, to Miss Barbara Bentley of Chicago. Mr. Bushnell is a son of the late H. M. Bushnell, at one time located here and engaged in the publishing of the Plattsmouth Herald, later going to Lincoln and where he was postmaster of that city under the Harding-Coolidge administrations or until his death. The groom is also nephew of A. H. Bushnell of this city.

## Well Known Young People Wed at M. E. Parsonage

### Miss Irene Hilma Peterson of Oakland and J. Leo, Mkvicka of Ravenna Are Wedded

The parsonage of the First Methodist church of this city was the scene of a very pretty wedding late Wednesday afternoon when the Rev. C. O. Troy, joined in the wedding of Miss Irene Hilma Peterson of Oakland and Mr. J. Leo Mkvicka of Ravenna.

The contracting parties were friends of many years standing of the Troy family who formerly resided at Ravenna and the young people came to this city to have the privilege of having their former pastor and friend perform the ceremony that was to make them as one.

The bride wore a traveling gown of black silk flowered crepe with a picture hat to match.

Following the wedding ceremony Mrs. Troy served a very delightful wedding luncheon for the members of the bridal party which included the bride and groom and the attendants. Mrs. Harry Johnson of Oakland and Clarence Troy of this city.

Mr. and Mrs. Mkvicka departed by auto early in the evening on a short honeymoon at their former home at Longmont, Colorado, where they expect to make their future home.

## CLOSING UP WORK

From Friday's Daily—  
The force that has been engaged in the task of repairing the lines of the Missouri river, are winding up their work today and this feature of the work of the Smith Brothers for the Continental Construction Co., at this point will be over. The piece of work has been one of the first of its kind in the country and has attracted attention in all parts of the country, especially as the swift flowing Missouri has offered many problems that other rivers do not have, to be contended with along these lines.

## EAGLES MASK BALL

From Thursday's Daily—  
Last evening the local aerie of the Eagles gave their annual mask ball, one of the dancing events of the season and which looked forward to with the greatest of interest by the dancing public of the community. The large dance hall of the American Legion building was well filled with the maskers and an unusually large number of most attractive costumes were to be seen on the dance floor. The judges of the costumes were Herman Thomas and W. R. Holly, veteran dancers and who after due deliberation and inspection of the various costumes awarded the first gentleman's prize to Tom Minnick while the second gentleman's prize was secured by Mrs. Frazier. In the ladies costumes Anna May Sandin was awarded first and Mrs. Hannal, the second honors.

The music was by the Happy Rhythm Boys of Omaha, a snappy and pleasing orchestra and which served to entertain the dancers in their usual clever way. The Eagles are donating half of the net proceeds of the dance to the local chapter of the American Red Cross.

## RELEASED ON PAROLE

Warren Reector, of Weeping Water, arrested on a charge of possession and sale of intoxicating liquor, on the hearing of the case before Judge A. H. Duxbury was given a fine of \$100 and costs and a sentence of six months in the county jail. The latter part of the sentence was suspended by the court on the presentation of a large petition from Weeping Water residents, numbering among them the leading citizens, asking this action as they felt the defendant would in the future be a law abiding citizen. The young man was paroled to Sheriff Bert Reed.

## AIDS RED CROSS WORK

The St. Paul's Auxiliary of this city has added to the funds raised here for the Red Cross work by giving \$5 which has been turned over to the local chapter to add to the amounts already raised for this good cause.

## Mrs. Adah Newton Wounds Self with Small Gauge Rifle

### Suffering From Ill Health Local Lady Attempts Suicide at Home in South Part of City.

Wednesday afternoon Mrs. Adah Newton, well known resident of the south part of the city, shot herself while in a despondent mood caused by ill health and a general breakdown, the wound however, not being dangerous. Mrs. Newton has for some time been in poor health and suffering from attacks of gall stones and which has made her suffering very intense and led to the attempt to end her life yesterday. She had been preparing to go to the hospital for an operation and this too, is thought to have weighed on her mind to some extent until she attempted the suicide.

Mrs. Newton had secured a twenty-two rifle that belonged to one of the boys of her family and placing the weapon to her head fired, but the aim was not good and the bullet merely inflicted a scalp wound that was painful but not dangerous in its nature.

The members of the family were able to secure the rifle and after the wound was dressed the injured lady was able to be up and around the house and yard under the care of the members of the family.

The unfortunate lady was taken to the hospital later where she will be treated and it is expected will be operated on for her ailment which has been most severe.

Mrs. Newton has been a very hard worker, managing her small farm for a great many years and since the death of the husband some years ago has had the task of caring for her family and which has been most exacting and trying, she being required to perform much heavy work in the direction of the farm and which has led to a general breakdown of her health.

Many friends were shocked to learn of the shooting but feel fortunate that the wound inflicted was not more serious and trust that the victim of the shooting, after her case in the hospital may be able to return home relieved of her former ailment and to enjoy a restoration of her former health.

## VISITS OLD FRIENDS

From Thursday's Daily—  
Yesterday Rev. H. L. Grassmuck and wife, who were formerly here in the charge of the local Christian church, were here for a few hours visit with friends. The Grassmuck family had been at Nebraska City, going there to secure the mother of Mrs. Grassmuck, who is to spend several weeks with them at their home at Arlington. En route back home they decided to stop in this city where they have many friends of several years standing and while here were guests at the Hal Garnett home for a short time. Rev. Grassmuck is not now engaged in active pastoral work but expects to soon take up a special religious education campaign.

## Retailers Endorse Move to Refund Warrants

### Take Position That City Will Save on Move by Lowering the Interest Rate Now Paid

The Retail section of the Chamber of Commerce at their regular meeting Thursday at their luncheon at the Majestic, took a stand on the proposed refunding of outstanding city registered warrants by the endorsement of the move. The city council has proposed that the city refund the registered warrants that are now existing and drawing six and in a few cases seven per cent interest, securing the opportunity of refunding them at four and a half per cent, the proposition being voted on at a special election to be held on March 3rd.

The Retailers were unanimous in their decision to approve the proposed action, taking the ground that the obligation was already here and the opportunity to save the difference in interest should be taken advantage of by the city at this time. The warrants must be cared for and if they can be handled at the rate of four and a half per cent there is no reason why this should not be taken advantage of in the case of present higher rates, meaning a saving of \$800 per year to the city in this one item and in the life of the warrants or bonds would mean several thousand dollars saved.

The Chamber of Commerce at their meeting last week also took action in approving the move as one of good judgment and to the interest of the taxpayers by cutting the interest rates. In fact the law makes it mandatory on the city government to refund bonds when lower interest rates are available, but in this case the matter must be approved by the voters of the city.

## MOTHER'S CLUB NOTES

The Mother's club of the Father Flannigan home, met on Friday afternoon at the home of Miss Betty Bergmann and with a very pleasing number of the membership in attendance. The ladies spent the time in preparing a quilt top which will be donated to the Home in Omaha. Mrs. Kate Hiber was elected as a new member of the club and the ladies had as guests of the afternoon Mrs. Frank Grauf and Miss Mae Murphy. At a suitable home dainty refreshments were served by the hostess that added to the pleasures of the occasion.

Miss Bergman was assisted by Mrs. Frank Bestor and Mrs. John Cloldt as associate hostesses.

Miss Stella Hunter, organizer of the club in this part of the state was in attendance at the meeting.

## DEBATE WITH AUBURN

The Plattsmouth high school debating teams were entertaining the teams from the Auburn high school Wednesday afternoon and night and a very interesting time was experienced by the two groups. The Plattsmouth team took the negative of the disarming question at the afternoon test, Robert Bestor, Edward Wehrbein and Madge Garnett. At the evening debate the Plattsmouth affirmative team composed of Paul Iverson, Edward Wehrbein and Madge Garnett were heard. The Plattsmouth team showed well in the debate, having poise and clearcut and logical arguments to support their positions on the question and covered well their ground of argument both in the affirmative and negative of the question.

## ENJOY A VERY FINE TIME

From Saturday's Daily—  
The Good Cause social given by the Rebekahs last evening at the I. O. F. hall, was very largely attended and the members enjoyed one of the most delightful social gatherings for some time. If those who took part in the cake contest sampled all of the cakes they guessed, they suffering physical as well as mental indigestion. After partaking of the delicious refreshments provided by the hostesses Mrs. Perry Coffman, Mrs. Frank Kruger, Mrs. Taylor and Mrs. T. E. Olson, card games and social conversation completed the evening's program.

## Motion for New Trial in Wever Case Overruled

### Matter Argued Before Judge Begley This Afternoon by Attorneys for Defense and State

From Saturday's Daily—  
The argument of the motion of the defense attorneys in the case of the State of Nebraska vs. Inas Wever, was argued this afternoon before Judge James T. Begley and the motion overruled by the court.

The matter has been pending for some time and was held in the recess of the case of Alloway vs. Ross, the defense being represented by Attorney W. N. Jamieson and Ray Lones of Omaha, for the defendant and W. G. Kleck, county attorney, for the state. The defense contended that the verdict was not warranted by the evidence and that the attitude of the audience was hostile to the defendant and influenced the verdict.

Mrs. Wever, charged with the poisoning of her husband, George Wever, was found guilty here by the jury and her sentence set at six imprisonment and since that time she has been at the Douglas county jail at Omaha awaiting the outcome of the motion for a new trial and the appeal of the case.

The defendant, Mrs. Wever, was present in court and at the close of the argument and the ruling of the court, the defendant was called to the bar to receive her sentence. The judgment of the court as directed by the jury was pronounced by Judge Begley as imprisonment in the state penitentiary at Lancaster, Nebraska, for the remainder of her natural life.

The defendant bore the sentence very calmly and aside from a slight slumping of the shoulders there was little indication of the emotion that she may have felt. With the overruling of the motion the attorneys for the defense will carry on their appeal of the case to the state supreme court.

## TRAIN WRECK TWENTY-TWO YEARS AGO

Many of the citizens of this county, particularly those in Union and vicinity, will recall the sad accident of February 14, 1909, in which Thomas G. Barham, Union, lost his life. As Amos McNamee also of Union was seriously injured, the result of the derailing of the Missouri Pacific passenger train No. 104 at the "Y" a short distance north of the village of Union. In addition to the two men mentioned the injured included Myron Thomas, Gus King, J. E. R. Goldsmith, C. J. Roe and Frank Hevrin, all residing in Omaha. Conductor Tom Reagan, said to be one of the most careful officials, had charge of the train, and after thorough investigation the cause of the wreck could not be determined. A coroner's jury composed of Peter Clarence, Reuben Steen, Syl Hathaway, Reese Delaney, Ed Young and W. E. Clark, failed to attach any blame to the train men, but the general belief was that in some manner a rail had become loose and caused the track to spread, resulting in one of the most lamentable accidents that ever occurred in this county.

## SUFFERS INJURED FOOT

Logan Covert, who has been engaged in the riprap work along the Missouri river at the point where the Continental Construction Co., pipelines make their dive under the waters of the river, is suffering from a bruised foot and sprained ankle as the result of having a large rock roll on the member. Mr. Covert was injured Wednesday and has since been taking an enforced vacation from his work.

The ripraping has been placed there to protect the pipeline and was approved by the war department after the local people joined in the request that the company might go ahead with the needed work.

## QUEEN ESTHERS MEET

The Queen Esther society of the Methodist church were most delightfully entertained on Thursday evening at the home of Mrs. Henry Ore, Jr., and with a very large number of the ladies in attendance. The devotions were led by Miss Mary Persinger while Miss Ruth Patton gave the lesson of the evening. The occasion was in the nature of a valentine party and following the close of the business session the ladies enjoyed a very delightful time for the remainder of the evening and at the close dainty and delicious refreshments were served that added to the enjoyment of all of the members of the party.

## MAY RETURN HOME SOON

Max Schackneis, who is still at the St. Catherine hospital at Omaha, is improving very nicely, after an operation for a serious attack of appendicitis, three weeks ago. It is hoped that he will soon be able to return home, as stated by attending physicians, although they have not decided the exact time.