PAGE SIX



Junked

HESE cars were unked as the wit of social

The same fate may overtake your car.

incure against all hazards.

H. & R. M. Duxbury Dependable Insurance

Corn to Yield Seventeen Bushels to the Acre Plattsmouth Ward One that early judges became drunk at an early hour at said election and before

Believe Crop to Come Up to Oct. 1 Expectations-Wheat Acreage Below Standard.

who were not qualified and that they Nebraska's corn yield will equal neglected their duty." the Oct. 1 estimate of seventeen bushels per acre, according to Ne-braska bankers in their mid-month that Plattsmouth citizens obtained report to the division of agricultu- votes for the bonds by the use of a al statistics. Acreage of winter slush fund of \$1500 and by threats

wheat is considerably below that of and intimidation. last year and sowing is almost com-pleted. The supply of moisture is lengthy petition, the plaintiffs pointgenerally short. Level of farm prices ed out that the law approved Februshows little change during the past ary 26, 1889, whereby a simple mamonth, and livestock prices are jority was permitted to float bond much below those of a year ago. The Oct. 1 condition of corn was a two-thirds majority was necessary.

51 percent and the estimated yield, The legality of the bond election was seventeen bushels per acre which questioned for the further reason would produce a crop of 171,632,000 that the tax levy was already 16 bushels against 247,106,000 bushels mills and that the bonds of \$80,000 last year. The extremely warm, dry would raise the levy above this legal and windy weather which prevailed during the first half of September matured the crop too rapidly. Prac-Concluding their attack upon the

Early History

of Plattsmouth

Continued from page one.

on the grounds that "he didn't have

time." There were 626 votes cast

in this ward of which 652 were in

noon." Further, it was argued that

the judges in all four city wards "constantly, habitually and know-ingly received ballots from persons

is Recounted

matured the crop too rapidly. Prac-tically all sections of the state with the exception of the southeastern counties show the general reduction in yields. Prospective supplies of corn, feed grains, hay and forage are obstition to propositions: first to increase short in scattered localities over most the tax levy and second to approve of the state. Many localities in the the bonds.

more severely drouth stricken areas are extremely short of feed supplies. Moisture supplies are generally in-null and void. On June 29, 1889. sufficient. East central and south- the plaintiffs filed bond of \$1000 and eastern Nebraska report sufficient moisture, but all other sections are still much in need of additional 1889 the city of Plattamouth as one july 31. 889, the cit sus of 1890. rains. Prices of feeder cattle and of the three defendants, filed an ansrains. Prices of feeder cattle and lambs are much below those of a year ago. The average price being paid for feeder cattle is reported at slight-ly more than \$5 per cwt. as com-pared to \$7.18 last year and \$11.40 two years ago at this time. Feeder lambs are now being bought at about \$4.75 per cwt. as compared to \$6.16 a year ago and \$12.65 in 1929. The general level of prices being received by farmers remains about the same as a month ago. Corn prices the same as a month ago. Corn prices declined about four cents per bush-el during the past month. Prices of wheat and oats remained at 33 cents and 21 cents respectively, the same as last month. The price of alfalfa advanced from \$7.60 last month to \$7.73 at the present time. due to fraud. month to \$7.73 at the present time. Issue, defense counsel entered a speci-fic denial and further asserted that an advance of 10 cents per cwt. ceed the legal limit. the necessary mill levy would not exsince a month ago. Hog prices drop-In further answer to the charges ped from \$5 per cwt. a month ago to \$4.39 per swt., at the present of the plaintiffs, the defendants filed time. Prices of buterfat and eggs a cross petition in which fraud and have shown a substantial gain dur-ing the past thirty days. irregularity in Weeping Water were cited. It was alleged that there were

were reported. 205 votes cast in

and 124 names of individuals were

listed with the remaining 81 classi-

In Weeping Water precinct, 95 il-

fled as unknown and non-resident.

PLATTSMOUTH SEMI-WEEKLY JOURNAL

sisted of largely the same allegations legal votes were cast. It was his brought out in the answers of the duty to have found out." For these Fourteen in other two defendants with a general reasons, Justice Maxwell held that deniad of all the claims of the plain- the prof was not sufficient and ordered the decree of the lower court To further becloud the legal hori- reversed and the case dismissed. The son and the maize of charges and allegations surrounding the contest, each of the plaintiffs filed replies to The counsel for the plaintiffs made

the answers of the Commissioners, one more effort to succeed with their cause in the courts. January 13,

After citing at considerable length 1891, a motion for a re-hearing of the claims and counter claims of the the case was filed with the Supreme parties to the bond contest, we are Court. Again Justice Maxwell handfavor of the bonds while the peti-tioners asserted that there were only 400 legal votes in the ward.

in this ward of which was derived in parties to the bond contest, we are counts in disposing of income asserted that there were only along its citation of frand-ulent votes, the plaintiffs stated that there were only the case. Counsel for defense made the the decision in which the period in the case. Counsel for defense made the the decision in which the president of P. D. Q. Railroad TONY KILBUCK.... Jean Spangler is citation of frand-ulent votes, the plaintiffs stated that there were only when a motion of non-suit was made on the part of the bonds and that there were only about the spond that there was not the ground that there was not the ground that there was not on on-resident. It will not be necessary to go into trial. Leaving the city in its allegations of malconduct, the complaint cited the specific proof was not desired the specific proof was not desired the specific proof was not the ground that specific proof was not desired the specific on the case of which that 2,291 votes were cast of which. Supreme Court Justice Samuel Maxwell's oplinon on the case on appeal admirably summed up this evidence and reference to this will be made. The regular differed." "And the proof shown all ass were the the court danged the words case in 1887 and 1888 were in the word. The part of the specific case is the specific charged that in plaintiffs had based their case is fulled the specific charged that in plaintiffs and and the the votes cast in 1887 and 1888 were in the word. The proof shown and that the proof shown and that there were act is the specific charged that in plaintiff in the and that the specific proof shown and that the plaintiffs and attention the tase were the bolds. The regular difference is the specific charged that in the ground that the complaint. The court danged admirably summed and the the proof shown and non-resident. The ground that the complaints is the specific proof was not desired the specific charged that in plaintiffs had based their claim for the Rail cond the specific charged that in Turning to another phase of com-plaint, the petition charged that in Plattsmouth Ward One that "the judges became drunk at an early hour at said election and before

bench and Judge J. H. Broady of about 1300 and that this number Beatrice was called in to hear the swelled to 2200 in the bond election, case. The defendants were ably rep- it would seem irrestible that the inresented by Byron Clark, Matthew crease was by fraud. Therefore Gering, J. B. Strode and A. N. Sulli- again, because the evidence was not van while the plaintiffs were repre- sufficiently definite to show that sented by E. S. Wooley, S. W. Orton and J. W. Thomas. nd J. W. Thomas. In the latter part of December, This decree closed the county seat

1889, Judge Broady delivered his question as far as the courts were opinion. He held that the general concerned. (To Be Continued)

at Falls City.

er on the floor of the car.

Wednesday, October 28.

close Saturday night, October 24.

The winner of the contest will en-

MOBILIZES FAMILY FORCES

night for a final cannonade of ora-

tory before the general election next

Tuesday. His daughter, Ishbel, join-

REVERSE OLD ORDER;

of charges.

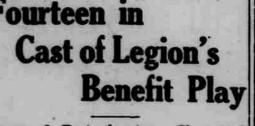
gram.

allegation of fraud advanced by the plaintiff was sufficient to justify the evidence of fraud and accordingly Arrest Four set aside the election and assessed the costs of \$375.98 to the defend-After a Chase

ants. The case was immediately appealed to the Supreme Court but this is a slow process and it was not until the September, 1890 term that this tribunal reviewed the evidence and ruling of the lower court. On January 17, 1891, Justice Samuel Max-

the City and Mr. Carruth.

clearly pointed out the insufficiency of the allegation of general fraud upon which the case of the plaintiffs was based. By way of introduction he summed up the allegations of the plaintiff and the answer of the deendant and reviewed the opinion handed down by Judge Broady. He pointed out that the defendants bas- of a Falls City filling station. ed their charge of fraud upon the comparison to be found in the votes polled in the bond election with those of previous elections and of the school George Meeks, both of St. Joseph, Mo. Barnaby Bird (Dr. G. L. Taylor).



Some of Best Amateur Theatrical Talent in Vicinity to Appear in "The Early Bird." THE CAST

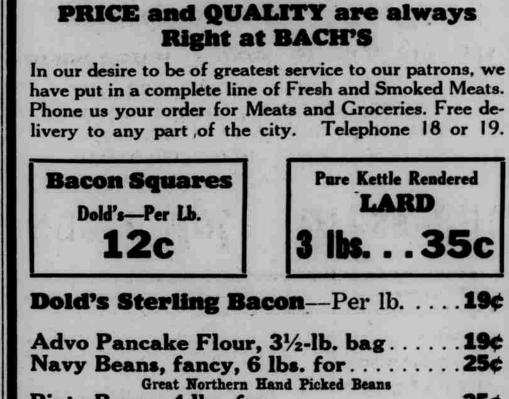
"An Early Bird," a modern American comedy built along business lines, is to be presented at the Platz theatre Wednesday and Thursday evenings, October 28-29, under auspices of the American Legion as a benefit for its community building indebtedness. The cast of seven young men and seven ladies enumerated above is rehearsing nightly under direction of L. D. Hiatt, well known theatrical producer and himself a featured player in repertoire companies back in the old days of "meller-dramas."

The hero of this play is a lighthearted, merry college boy, Tony Kilbuck (Jean Spangler) who is being trained in a systematic manner by his father, Cyrus B. Kilbuck, president of the P. D. Q. railroad (Carl Schnei-der). The father thinks his training Thru Auburn will result in making Tony a wonder-ful business man, but "the best laid plans of mice and men gang aft agley" and Tony becomes involved in debt and is expelled from college.

The father decides he has been too lenient with him and declares that in the future he must shift for himself. Tony, nothing daunted, decides he'll show "dad" he can be a success with-Auburn-After a chase of several

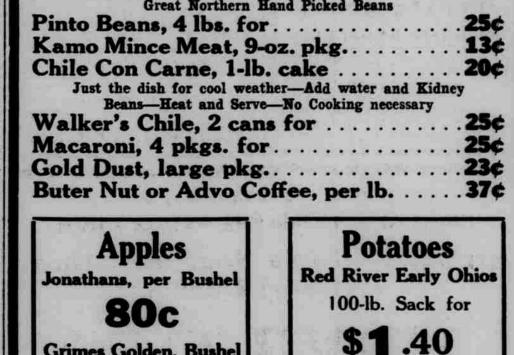
miles, starting down the main street out paternal aid and starts out with of Auburn. Friday night, Sheriff J. unlimited nerve and a light heart to of Auburn, Friday night, Sheriff J. C. Broady apprehended four Broady apprehended four men carve his way to fame and fortune and who later confessed he said, theft the hand of the girl, Jessamine Lee of the automobile in which they (Madge Garnett).

were riding, and admitted the holdup of a Falls City filling station. The P. D. Q. railroad plans an ex-tension across Flagg county and there The men gave their names as Ed- are two routes possible, the River die Carr, and James Walls, both of road and the North road. Both are



Fresh and Smoked

Meats



Per Bushel90c

Flour and Feed

Grimes Golden, Bushel

\$1

	100-lb. sack									
orts, per	; 100-lb. sack	÷.,		•	 ŝ.	 	•		85	4

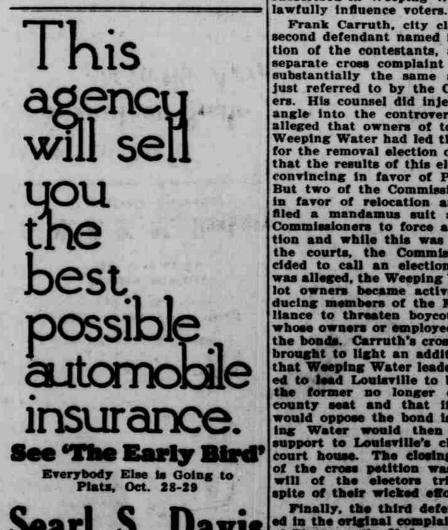
MONDAY, OCT. 26, 1931.

ing the past thirty days. Less cholera among hogs is reported by bankers than was reported a Weeping Water but that 446 votes year ago.

FOR SALE

Two h. p. General Electric motor. \$25 cash E. J. WEYRICH o24-1tw-2td

The regular standard grade of his-The regular standard grade of his-tory paper 40c per ream, not a special sale light weight article, but high quality, marked at a close price, at the Bates Book and Stationery Store.



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Plattsmouth

The other figure used by the laintiffs to show that the 2,296 rotes polled for the bonds in Plattsmouth was too large was the school ensus of 1890 which listed 1,928 children of school age. It was upon these figures that Judge Broady based his ruling in the District Court because he held that these showed the vote returned in the wards of the men near the Nemaha river. He Plattsmouth to be so much larger than in previous years as to indicate that the increase must have been

In attacking this ruling on the facts just cited, Justice Maxwell pointed out that the testimony of the defendants showed that there was construction in street and sewer work going on in Plattsmouth during 1889 and 1890 and thas this could

e accepted as explaining to a large degree, the increase of population during that period. Also he pointed out that evidence was introduced showing that there were many men employed by the Burlington railroad only 300 legal voters in the town of whose residence would be considered | Taylor farm, one half mile south of as Plattsmouth but who would be Alvo. compelled to be away much of the Weeping Water were cited as illegal time due to the nature of their job. Coming to his interpretation of the evidence, Justice Maxwell held that field is very uniform and free from n order to establish the fact that weeds. The yield has been estimated illegal votes were cast, proof must legal votes were claimed and all but be offered by one or more witnesses were named. It was further charghaving actual knowledge of the fact preparations will be made to accomed that there were 10 illegal votes that certain specific persons were not legal voters and that the witnesses must designate these persons by name. If the proof merely tends in Plattsmouth, the cross complaint,

to show that some voted illegally. which will be held November 9, about Justice Maxwell held that this was. four miles west of Schuyler in Colalleged that the sum of \$2000 was ubscribed in Weeping Water to unnot sufficient evidence to reject the fax county. votes as illegal. As to the Italian Frank Carruth, city clerk, as the second defendant named in the petistreet workmen employed in Platts-mouth at the time of the election, tion of the contestants, also filed a Justice Maxwell declared that "it separate cross complaint which was substantially the same as the one ppears that the Italians were legal voters and it is an uncalled for imjust referred to by the Commissionputation to charge them with comers. His counsel did inject one new mission of a crime without evidence angle into the controversy. It was alleged that owners of town lots in Weeping Water had led the agitation men voting illegally was from a wit-ness who resided in the interior of for the removal election of 1888 and that the results of this election were the county and who was in Plattsconvincing in favor of Plattsmouth. mouth on election day and "saw eight But two of the Commissioners were Dagos go to the polls but did not see them vote." In concluding his opin-ion, Justice Maxwell swept away the But two of the Commissioners were in favor of relocation and Carruth filed a mandamus suit against the Commissioners to force a bond elec-tion and while this was pending in the courts, the Commissioners de-cided to call an election. Then, it ground upon which the plaintiffe based their case when he charged that names of illegal voters had cided to call an election. Then, it was alleged, the Weeping Water town lot owners became active, even in-ducing members of the Farmers Al-liance to threaten boycott of stores whose owners or employees voted for the bonds. Carruth's cross complaint been cited but that no proof had been Was alleged, the Weeping Water torm in ducing members of the Farmers Ai-ling to sease and the farmers and that the charge was justified. Hit weeping Water leaders attemption to be sease and proved to have was seased on varue statements.
Wheeler home or the bond issue, Weeping Water leaders attemption to believe the bond issue, Weeping Water leaders attemption to believe the based on varue statements.
Going to 18-29
Phone 9
Whome 9

Four unmasked men held up Harry Tony gets inside information that Mosiman, at his filling station in the River road is to be chosen and, Falls City early in the night, and escaped with \$15 in cash and an un-determined number of checks. The automobile used by the men was re-extension is going in over the North ported stolen from St. Joseph late road. Bird obtained his information in the afternoon. from Bruce Ferguson, a clerk in the Sheriff Broady, accompanied by P. D. Q. offices (Walter Gabriel), who Deputy Sheriff C. J. Rapp. halted brings him the approved blue-print plans of the extension over the River said they offered no resistance and road. Poor Tony, seeing these plans, readily admitted the theft and holdand having spent his all on the River up. He found about \$10 in the men's read, is forced to admit his failure as clothing. Sheriff Broady said, and a regular business man and goes back about \$1.50 in change and a revolv-

to his old job, that netted him \$7.50 in four months, selling life insur-Falls City authorities were to take ance.

the prisoners there Friday night, Mrs. Van Dyne (Ruth Janda) is where the four will await the filing purchasing agent for the road, and Bird, mistaking Jessamine for her, is forced to believe that Ferguson de-ceived him and that the P. D. Q. is COUNTY COMNHUSKING CONTEST going to buy the River road and not the North road. In desperation, he offers Tony his North road in ex-The Cass county corn husking contest will take place at one o'clock change for the latter's River road Wednesday, October 28, at the Frank and \$1.000 to boot. The exchange is effected just in time as Mrs. Van Dyne and the president of the road arrive The field of corn chosen for the in Flagg Corners to open negotiations contest is in excellent condition. The for the purchase of the North road, rows are eighty rods long, and the now owned by the effervescent Tony. Tony sells his property to his father for half a million dollars and is a regby several to be 50 bushels per acre. ular business man at last.

Six men are already entered and Comedy features are introduced throughout the play by the coquettish Imogene (Janet Vallery), stenmodate ten contestants. Entries will ographer for the railroad: Artie (Ed Wehrbein), the fresh office boy; Miss Rosa Bella Beavers Mary Beverage). a country belle, and her mother (Mrs. de Angel, learned that an assault ographer for the railroad; Artie (Ed) ter the state corn husking contest which will be held November 9, about J. A. Capwell), the landlady of a would be made on the town hall, and Flagg Corners hotel, and last, but by immediately called upon all municino means least, Dilly (Mrs. Margaret pal employes, who turned the build-

London-Prime Minister MacDonald mobilized his family forces on the Seaham harbor front Friday Mr. Bird

HOLD CLUB MEETING

ed Sheila in canvassing the wives of the miners and Alastair toured Riverview club held their project meeting of the new project at the home of Mrs. Frank Slagel Thursday the district with loud speaker appar atus attached to a runk. Only Malafternoon. The subject this year is colm, who has his own fight at Bason making the home attractive. The first lesson "Worth While Pictures setlaw, was absent. Mr. MacDonald arrived at Easington colliery amid cheers of "good old Ramsay" as well For the Home.'

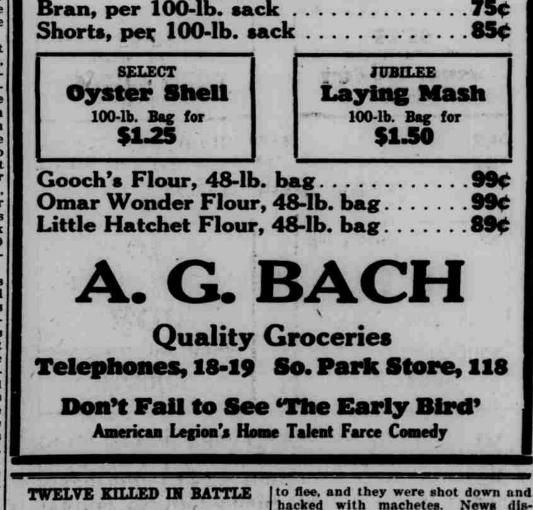
as catcalls. He was given a hearing Each member had with them some picture from a calendar or magazine. on the national government's pro-The pictures were discussed, the leaders giving the gruop a test for

judging pictures. Plans were made for the clubs' annual weiner roast to be held at the Wheeler home on the eve of Oct. 25th, to which all club members and

At the close of the meeting Mrs. Slagel assisted by Mrs. Khuns, served delicious refreshments. The No-Friday night by officers of Ruedy's ed delicious refreshments. The No-store here. The store has eighty-six vember meeting will be with Mrs.

At the Chas. Garrison farm on At the Chas. Garrinon farm on Highway No. 75, Union, Nebr., 13 Spotted Poland China boars. Prices reasonable.—John Roddy. 022-3tw

Large map of Cass county on mile

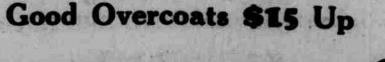


Mexico City-Details of a san- patches reaching here advanced the guinary battle last Saturday at Tia-theory that the battle resulted from pacoyan, Vera Cruz, in which the feeling aganist the mayor because Thomas Walling Company Shellenbarger-Hirz), the hired girl, who is corresponding secretary of the Young Ladies' Cold Water society and is shocked beyond measure by the falling from grace of the impeccable



Either will help you do the other. We're back to the low prices of 15 years ago. ... You can now put on the suit you have been "putting off" buying for so long.

Sensational Values at \$17, \$19, \$21



WESCOTTS

Don't forget "The Early Bird" Reserve Seats at Mauzy's Starting Monday at 9 Reserve Seats on sale Monday at Mauzy's

