

The Plattsmouth Journal.

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PLATTSMOUTH, NEBRASKA, THURSDAY, DEC. 1, 1932.

NO. 88

Henry Ofe, Sr., Old Resident of This City, Dies

Honored and Respected Citizen
Passes Away After Illness of
Some Duration.

Henry Ofe, Sr., 69, one of the long time residents of this city, passed to the last reward Tuesday morning at 10:40 at the family home on North Fourth street, death coming as the result of heart trouble from which he had been a sufferer in recent years.

The passing of Mr. Ofe removed one of the honored residents of the community, one who had in his quiet way assisted in the development of the city and its advancement in the years that he made this his home.

Coming here as a young man he had by his sterling qualities made himself a place in the community as a model citizen, a kind and loving husband and father and a friend to the many who had known him in the passing of the years.

In his younger days he entered the services of the Burlington in the local railroad shops and where he continued his services until ten years ago and since that time he had devoted himself to his private business interests as long as his health permitted. Mr. Ofe with his sons organized the Ofe Oil Co., which owns and operates their service station in this city, one of the model establishments of its kind in the state. It had been a pleasure to him that he had seen his family grow to manhood and womanhood, to become splendid men and women and worthy children of the splendid parents.

Henry Christian Ludwig Ofe was born July 2, 1863, at Rughn, Mecklenburg, Germany. He spent his early years in his native land, later coming to the United States with his brother, Herman. They located in the northern portion of Nebraska and on January 3, 1885, he was united in marriage to Miss Henrietta Sachten, coming after their marriage to Plattsmouth. For forty-eight years they have lived in this community and have lived out these years of happy wedded life.

Mr. Ofe is survived by the widow, four sons and one daughter, William H. Ofe and Edward Ofe of Omaha, Mrs. Alice Hafke, Henry and Carl Ofe of this city. There are also six grandchildren surviving, one brother, Herman Ofe of Oakland, Nebraska, also mourns his loss.

The funeral services of this splendid citizen will be held on Friday afternoon at 2:00 at the Sattler Funeral Home at Fourth and Vine streets.

REPORT CARS DRAINED

In the past few days there has been reports of several auto owners having the gasoline drained from their cars. One case occurred last Tuesday night to a party of young people who were attending the junior class play at the high school, the car having been parked on Main street near the school. Others have reported that cars that they have been in garages have been emptied of gas. It is thought that the gas robbing is probably the work of local people who take this means of supplying themselves with gas for their cars. It is hoped by the officers to discover the parties and bring them to justice, altho this is a difficult matter owing to the fact that the cases that have occurred are largely from places in the residential section where the police are unable to keep a constant watch.

SHOWING IMPROVEMENT

The many friends of Fred McMaken will be pleased to learn that the young man is now doing nicely at the Lincoln General hospital. Mr. McMaken was taken there last Wednesday from Dorchester, suffering from a sudden attack of appendicitis. When operated on it was found that the appendix in a few hours would have burst. Fred has rallied nicely from the operation and has gained so fast that it is thought that he may return home by the week end to recuperate under the care of the family.

DOING VERY NICELY

The reports from the Methodist hospital at Omaha are to the effect that Henry F. Goos, who has been there for the past ten days, having undergone an operation, was doing very nicely. Mr. Goos had two operations at the one time and has rallied very nicely from the effects of the ordeal and it is thought is showing just as pleasing a progress as was possible in this short time. It is hoped that he may soon be able to return home and take up his usual activities at his shoe store.

Mr. and Mrs. E. J. Richey Observe Anniversary

Entertain Group of Friends in Honor
of Passing of Wedding Anniversary Saturday.

The beautiful home of Mr. and Mrs. Emmons J. Richey was the scene of a very charming 7 o'clock wedding anniversary dinner on Saturday evening.

The home was arranged in the decorations of the golden chrysanthemums to add to the beauty of the setting, the flowers with gold candles being used in the decorations of the table, presenting a most attractive scene.

The evening was spent in visiting and enjoying the pleasantness that the occasion marked.

During the evening the members of the party also enjoyed contract bridge and in which Mr. and Mrs. Albert Krug were the prize winners.

Those who enjoyed the delightful hospitality of the Richey home were Mr. and Mrs. Harold Buckingham, Mr. and Mrs. D. K. Ellingwood, Mr. and Mrs. Allan Faulkner, Mr. and Mrs. Albert Krug, Mr. and Mrs. Austin Brown, Judge Charles E. Foster, all of Omaha; Mrs. Edward Young of Lincoln; Dr. and Mrs. Farnk L. Cummins, Judge and Mrs. James T. Begley and M. J. McCloud of this city.

VETERAN OFFICIAL HERE

From Monday's Daily
With the opening of the session of the district court this morning for the November term, a familiar figure appeared at the court house, William Atchison, of Elmwood, bailiff of the court. Mr. Atchison has held this position since 1923 when he was selected as bailiff for the grand jury which was called that year. His services have been so excellent that he has since been called each term to function as the official guardian of the jurors when they are on duty. With the genial bailiff in charge, the task of the jurors is made much more pleasant and his watchfulness in handling them assures that they are protected from annoyances while debating the issues of the various cases. It is the bailiff's duty to see that the jurors are properly fed and when out on criminal cases that they are kept together until reaching a verdict or discharged. Mr. Atchison has enjoyed the work of the jury term and when he arrives here from his duties on the farm he is having what he terms his "vacation."

BASKETBALL PRACTICE

From Monday's Daily
With the passing of Thanksgiving the football togs have been laid aside and the athletic inclined youth of the high school are turning their attention to basketball. Starting today Coach Rothert will have his squad out for tryouts. Basketball has always proved the most popular sport at the local school and large numbers are out for tryouts each season. Of the team that carried off the Southeastern Nebraska regional honors last year, Coach Rothert will have Arn, Rummel, Ronne and McCleary, back for the seasonal workout. There will be a large number of other candidates for the team that may make a hot contest for places on the first team and which includes Armstrong, Porter, Hirz, Yelick, Rhodes, among the contenders. The first game of the basketball season will be held in this city on Friday, December 16th when the Ashland team will be here to face the Platters.

Second Degree Murder is Held Against Daniels

Jury Deliberating from 11:30 to
4:30 Wednesday Brings in Verdict
Against Defendant.

Everett Daniels, fifty-six year old fruit farmer of this city, was found guilty by the jury in district court Wednesday of second degree murder. The case of the State of Nebraska vs. Everett Daniels, was submitted to the jury at 11:30 a. m. and the verdict rendered at 4:45 p. m.

The defendant had been charged with first degree murder by stabbing to death James Zoubek, Jr., in a fight on Lincoln avenue on the night of October, September 5th.

The hearing of the case had attracted much attention and many waited around the court house for hours after the jury had retired to deliberate on the evidence submitted to them.

The jury signified that they were ready to report and Mr. Daniels was brought from the jail to the courtroom, a large number gathered to hear the verdict. As the verdict of second degree murder was read, the defendant did not show any emotion, though the decision of the jury might mean many years behind the prison walls. Immediately after the reading of the decision of the jury, the attorneys for Mr. Daniels, W. A. Robertson and C. A. Rawls, prepared for the submission of the motion for a new trial.

The case occupied two days in the hearing and a large number of witnesses were heard for both the state and the defense. The chief state witnesses were Mr. and Mrs. James Zoubek, Sr., parents of the young man Daniels was charged with killing, and Earl Newton, companion of Zoubek on the night of the stabbing. These witnesses testified to seeing the defendant do the killing.

The defense had as their chief witnesses the defendant himself, and Mrs. Daniels, the latter claiming to have accompanied her husband to the scene of the struggle between Zoubek and Newton and her sons and William Falk. The testimony of these witnesses was that there had been no weapon carried by Mr. Daniels and that he had not participated in any struggle with Zoubek.

At the close of the trial and instructions to the jury, Judge Begley gave the jury several forms of verdict from the first degree to acquittal and which they were to use in determining the degree of the crime.

The second degree verdict will mean a sentence of from ten to twenty years in the state penitentiary.

County Attorney W. G. Kieck following the receiving of the verdict withdrew the complaint against William Falk, who had been charged with the Daniels, Falk having been one of the witnesses for the state in the trial. Mr. Falk was released and allowed to return to his home in the south part of the city.

First Day.

The first day of the offering of testimony in the case of the State of Nebraska vs. Everett Daniels, charged with the murder of James Zoubek, Jr., was featured by the telling of the story of the slaying given by the mother and father of the dead young man. These witnesses, while dramatically describing the death thrusts with the knife as they claimed in the hands of the defendant, Everett Daniels, were given a grueling cross examination by Attorney W. A. Robertson of the defense and who led the witnesses into a number of conflicting statements as to the directions at the scene of the crime or the situation of all the parties at the time the stabbing occurred.

William Falk, one of the defendants charged in the crime was called to the stand and described the struggle among the parties on Lincoln avenue, denying that he had any part in the fatal stabbing of the unfortunate young man. He stated on examination that he had been promised leniency for his testimony in the case. He also stated Everett Daniels had a knife such as described by William Ferguson.

One of the high lights of the case was when the father of the dead man, James Zoubek, Sr., was called

to the stand and told of hearing the disturbance and coming to the roadway where John and Ival Daniels, William Falk and James Zoubek and Earl Newton were battling. He told of seeing Everett Daniels, the defendant, approach along the path north of Bryant street, into Lincoln avenue to where he had attacked young Zoubek. The father dramatically told of Daniels striking Zoubek with a club held in his left hand and thrusting at Zoubek with a knife which the witness claimed to have seen clasped in the right hand of the defendant. After the blow with the club the witness claimed that he had seen Everett Daniels strike young Zoubek with the knife, Zoubek sink to his knees and then rise and hit the defendant and who had recovered and returned to again stab James Zoubek, Jr., who has sunk to the ground and where he was struck over the chest by the club. He also stated that Daniels had attempted to strike Mrs. Zoubek, who had hastened to the scene but Earl Newton had struck Daniels down. The witness stated that Daniels had left the scene to return a few moments later and inquire what was the trouble and who had called for help. He stated that the defendant had ordered his two sons and Falk from the scene.

On cross examination by Mr. Robertson, the father of the victim of the fray stated that James Zoubek, Jr., and Earl Newton had returned home about 9 o'clock on the night of September 5th, that they had again started for town at 10 a. m. His attention was first attracted by the appearance of a car in Bryant street, west of the Zoubek place. He stated that the Daniels car had moved into Lincoln avenue and that the car was in a place where the Zoubek car, partially out of the driveway of the place was about the center of the Daniels car with a part of the roadway open between them. The witness made conflicting statement as to whether Newton and Zoubek were out of the car at the first time he arrived on the scene, but the lights and engine of the Zoubek car were operating. Witness stated that Falk, John and Ival Daniels had gotten out of their car and started toward that of James Zoubek, James had come out of his car on the left hand side of the car. Witness stated that a hedge as well as a fence was along the west side of his property between the house and Lincoln avenue. Witness testified that he had seen Daniels, the defendant, come from the west along the north side of Bryant street, that Daniels had a club in his left hand and a knife in his right. The witness testified that after Daniels had struck the second time with the knife at young Zoubek that he had raised the club hands as to strike but the knife was not visible. James was southeast of the Daniels auto at the time that the stabbing occurred the witness testified. After the stabbing witness testified that Daniels had gone west in the direction where he had first appeared and as witness called for help, Daniels had reappeared and asked what was going on and who had called for help. The defendant had told his two sons and Falk to go on home, they had gone to their car and driven away. Newton had gone to telephone to the authorities and Mrs. Zoubek to the home of her daughter and son-in-law, some distance south of the Zoubek place.

Freeman McFarland, photographer, was brought to the stand and identified photographs of the scene which he had made on September 23rd at the request of the county attorney. Objection was offered that the photographs did not represent the scene as it occurred.

Second Day.
At the opening of second day court this morning Ed W. Thimgan was recalled to the stand for cross-examination, having brought with him the gear shift handle ball which had been picked up near the scene of the fight. He was shown both this and the watch of Ival Daniels and stated that both had been handed him at the scene.

Dr. L. S. Pucelik was called to the stand and described in detail the wounds on the body of James Zoubek, stating that there was a small contusion on the forehead of Zoubek, a small cut across the chest and the penetrating stab which was an inch or an inch and a half in length. On cross examination Dr. Pucelik stated that Zoubek was well developed and his height five feet ten inches. In response to the questions of Mr. (Continued on Next Page)

and Earl Newton had gone to the main part of the city after supper. They had returned home and later had again left for town to secure some tobacco. The witness was in the kitchen and husband on the rear porch when the two young men had left. Mr. Zoubek had told witness that James' car had stopped and they had gone out to investigate. Witness stated she had seen John and Ival Daniels and Falk get out of car and start toward the car of Zoubek. The witness stated as had her husband of seeing Everett Daniels come from the direction of Bryant street, carrying a club in his left hand and a knife in his right, that Daniels had struck James with the club and also slashed at him and James had sunk to his knees, that he again attacked Daniels and when the defendant had again struck with the knife. She had rushed to the scene and stated that Daniels had attempted to strike her and Newton had struck him down. Witness leaving her seat showed with the club or cane to be the weapon used, how she claimed Daniels had struck young Zoubek as he lay in the highway.

The witness became confused on the cross examination of Mr. Robertson, stating that the time the two young men had started for town had been close to 9 o'clock. The witness stated that when she had arrived in sight of where the parties were located that James Zoubek had gotten out of the right hand side of the car as had also Newton. The witness was much confused as to directions and stated that she had come around the north side of the Zoubek car in the driveway. She stated that John Daniels was swinging a tire chain and that John and Ival Daniels had struck James down. She did not know whether or not James had been struck down by the tire chain. The witness did not know where John and Ival Daniels were standing at the time of the stabbing. She repeated the story of the stabbing as given in the direct examination but had not seen what had become of the knife. She had not seen the Daniels car come from Bryant street to Lincoln avenue. On questioning by Mr. Robertson Mrs. Zoubek stated that she had talked the case over with her husband and Earl Newton twice, she had also talked of the matter with the county attorney.

Ed W. Thimgan was called to the stand and stated that he was sheriff of Cass county on the night of September 5th, that he had been called to the scene of the alleged murder and that he had found the body of Zoubek lying to the east and south of Lincoln avenue where it had been dragged by the relatives from its former position in the roadway. Questioned by Mr. Robertson, Mr. Thimgan stated that all of the Daniels and Falk had blood or small wounds on their faces or body when he had taken them in custody. Witness identified cane which he stated he had found in the Daniels home between the kitchen cabinet and the wall of the kitchen. Questioned by Mr. Robertson he stated that someone of the party had found a cue or billiard ball in the roadway and turned it over to him. Witness stated that no one had found or turned over to him a stocking or sock. The witness on cross examination stated that he had not found the knife that was supposed to have been used in the commission of the crime. He had not searched members of the Zoubek family or Newton at the time of being called to the scene. The night was very dark and clear the former sheriff testified.

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HERE FROM UNION

From Monday's Daily
G. S. Upton, one of the pioneer residents of Union, was a visitor in the city today, motoring here in company with William Hull and Fred Clark. Mr. Upton has been a leader among the farmers of Cass county and was for many years an outstanding leader in the democratic circles of Liberty precinct. While here he was a caller at the Journal office to visit with the publisher for a few moments and also looked after some business in the city.

Will Award 1932 Football Letters at Banquet Date

Basketball Season Now Ready to
Start and Schedule of Games
for Season Announced.

While the victory over Nebraska City on Thanksgiving day marked the close of one of the most successful football seasons in the history of the school with a record of seven victories, one loss and one tie, the football year will officially close on the evening of December 9th when the community banquet for the team will be held and the letters awarded. But already the basketball spirit is beginning to take its place to dethrone the pigskin in favor of basketball. Coach Rothert will get his prospects into the gymnasium this week as the first game will be played with Ashland here on December 16th.

The brilliant season of the blue and white five last year will be recalled as that quintet went through the regular season with only one defeat at the hands of North and a defeat by the champion Crete team in the second round of the state tournament at Lincoln. While Coach Rothert will not start the season with a guard the class of Forbes or a center the equal of Donat nor a better floor player than Knofleek, yet he will have veteran performers in Rummel, Ronne, Arn and McCleary. With these four as a nucleus of the team in addition to promising material which shows up every year in the squad, Plattsmouth high school can expect to have a good team in the field this winter.

In accordance with the tendency in many schools today, the schedule is not as long as in some previous years. The local team will not play over thirteen games aside from tournaments. Twelve of these games have been scheduled with the thirteenth position left open for North Omaha high school. Practically all of the old rivals are on the list with South Omaha appearing on the schedule for the first time in two years and a game of an intersectional nature with a newcomer to the schedule, Tarkio, Missouri, here on the night of February 3rd.

A new scale of admission prices whereby all pupils of the Plattsmouth schools will be admitted for ten cents and all townspeople for twenty-five cents will be inaugurated with the first game December 16th. This should make it possible for many more than usual to see the games and good crowds are expected. No season tickets will be sold, but straight admissions of 10 and 25 cents will be charged for the eight home games.

The schedule for the season is as follows:
December 16—Ashland, here.
January 6—Nebraska City, here.
January 11—South Omaha, here.
January 20—Glenwood, there.
January 27—Peru, here.
February 3—Tarkio, Mo., here.
February 7—South Omaha, there.
February 10—Nebraska City, here.
February 15—Nebraska Deaf, here.
February 17—Auburn, there.
February 24—Glenwood, here.
March 3—Wahoo, there.
Date for North game not decided.

SPARKS CAUSE FIRE

This morning the burning out of the chimney in the building housing the office of John L. Tidball, lumber dealer, caused a slight fire. The sparks from the chimney alighting on the roof of the building caught several of the shingles but the blaze was soon extinguished by Mr. Tidball and Ernest Porter. It was fortunate that the burning shingles were detected as soon as they were and extinguished with only slight loss.

High School Students Entertain Rotary

Fine Program Demonstrating Many
Phases of the School Training
Is Offered.

The students of Plattsmouth high school had as their guests Tuesday afternoon, the local Rotary club. In honor of the visit from this splendid group of men, a program was presented under the auspices of the student council with Emily Lorenz presiding and Dr. P. T. Heineman, president of the club, responding for the visitors.

It was the purpose of the program committee to present a representative program as a cross section of P. H. S. work as far as time would permit. The orchestra was heard in the first number and was followed by the girls' glee club. Both of these organizations include a large group of students whose offerings are always appreciated. A number of a unique nature was the rhythm demonstration of members of Mr. Jordan's beginning typewriting class showing a part of the splendid work being done in the commercial department under Mr. Jordan. Those who participated were: Marvin Tritsch, Emily Lorenz, William Woolcott, Glen Puls, Edward Lorenz and Kathryn Hough.

Two new musical groups were also presented. A brass quartet composed of Marvin Tritsch, Francis Libershal and James Comstock, trumpets, and Stuart Porter, alto; and a string quartet composed of Lois Bestor and Alice Hiatt, violins; Rachel Robertson, viola and Marjorie Tidball, cello.

Numbers by the girl's sextette composed of Lois Bestor, Mary Ann Rosencrans, Gertrude Brink, Helen Gilmour, Virginia Trively, Velma Wells, and the boys' glee club and popular P. H. S. band completed the program. Miss Williams trained all of the musical groups with the exception of the band which is directed by a Rotarian, L. D. Hiatt. Virginia Samek assisted as accompanist. At the conclusion, the chairman invited the club to see a demonstration work work done in the commercial art class of which Miss Marie Kaufmann is the teacher.

The committee which arranged the program was composed of: Marvin Tritsch, chairman, Carl Hula and Geraldine Griffin. It was interesting to note that practically all of the children of Rotarians in the high school, were represented on the program.

The visit of these community leaders to P. H. S. was greatly appreciated by both faculty and students. Preceding the visit at the school, the regular luncheon was held at the Brown cafe and at which time Robert Hirz, senior, and William Jensen, junior, gave their impressions of Rotary and its work and the pleasant time that they have had as auxiliary members for the past month. The club also had as a luncheon guest, William Thomas, better known as "Big Bill," state secretary of the Y. M. C. A. work in the state and who was here to look after the interest of the "Y" in this locality.

WILL VISIT IN COUNTY

From Monday's Daily
This morning Robert F. Hunkeler, representing the society of the Re-deemptorist Fathers of St. Anne de Beaufre, arrived in this city to look after the interest of the homes maintained by the society in this country. The society has twenty-four homes in this country in addition to the parent home in Quebec, Canada. It is expected to visit each of the Catholic homes in the county in the interest of the society.

ENJOYS HOLIDAY VISIT

Miss Ruth Tidball, teacher in the Wintersteen hill school, returned Sunday from a visit over the Thanksgiving holiday at Evanston, Illinois, where she was a guest of Miss Alice Louise Wescott. Miss Tidball enjoyed very much the stay in the large city and visiting many of the points of interest in Chicago while visiting there.