

PROVES ITS FAITH IN NEWSPAPER ADS

Ponca City, Okla., Feb. 21.—During 1935 Continental Oil company will spend nearly 75 per cent of its total consumer advertising appropriation for newspaper space, it was announced here today by Wesley I. Nunn, advertising manager.

Nunn also stated that the Journal has been selected to carry Conoco advertising this year, and that his company has again approved one of the largest promotion budgets in its history.

"Continental's faith in the dividend earning power of newspaper advertising is founded upon sales increases directly traceable to this medium," said Nunn. "Last year, for example, there was a marked improvement in company earnings, despite excessive gasoline taxes and other adverse factors. Sales of Conoco Germ Processed Motor Oil also reached an all-time high.

"Business is definitely on the upgrade. And we are confident that aggressive newspaper advertising, quality products at a high standard of service will make this the most outstanding year in our history."

MADISON POSTMASTER

Madison, Neb.—Frank D. Gouley, editor of the Madison Star-Mail, has been appointed acting postmaster here. He succeeds James Nichols, postmaster for the past five years. Mr. Nichols will continue to practice law here.

WOMAN'S CHARGE DROPPED

Hastings, Neb.—Charges of attempted assault against Charles Parks and Albert Ransom, whose first trial in October resulted in a hung jury, were dismissed by County Attorney Edmund Nuss after doctors had said the complaining witness would endanger her health by testifying again. The men were released after being in jail since July.

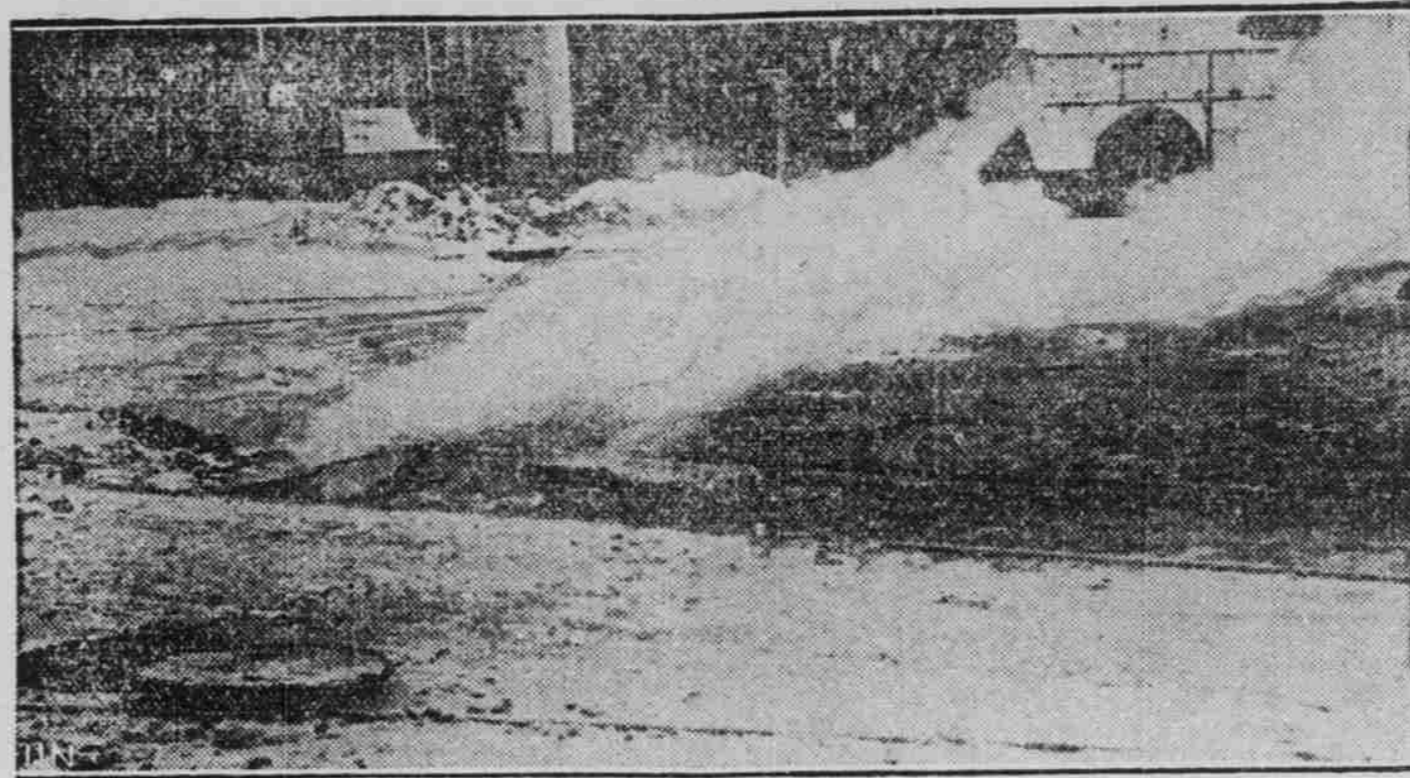
A district court jury denied Harry W. Sample any damages in his \$5,238 personal injury suit against Miss Frances Conbruck, Hastings beautician. The suit was the outgrowth of an automobile-bicycle collision last July.

Hastings' liquor ordinance was getting its first test in district court Wednesday in the case of Thillie Gagnon, who appealed from a police court conviction of sale of liquor without a license. She had been fined \$100 in police court. Louise Vnaciquerra Hanning, now a Hastings roadhouse proprietor, is scheduled for trial Thursday on a similar appeal.

TRAINMEN ELECT MAHER

Omaha.—Members of the general committee of the Brotherhood of Railway Trainmen, representing the Union Pacific from Omaha to Ogden, Wednesday elected P. H. Maher of Salina, Kas., as vice chairman and Robert Larkin of Grand Island as secretary; James A. Bostic, Topeka, is chairman. The committee of sixteen is meeting here to discuss routine matters.

Underground Gas Explosions Cripple N. Y. City



National guardsmen were called to keep citizens of Utica, N. Y., off the streets following a series of underground explosions which occurred when leaking gas from downtown mains was ignited by a workman's sledge. Manhole covers were hurled high in the air, three citizens were seriously injured, and the entire city endangered by the subterranean gas fires.

Argue Validity of Two New Nebraska Statutes

Right of Legislature to Levy Retroactive Gas Tax Debate Before State Supreme Court.

Two laws passed at the special session of the legislature were before the supreme court Tuesday for a ruling as to their constitutionality. These are H. R. 37 which levied a retroactive tax of a cent a gallon on gasoline for a period between March and September of last year, when the tax later declared invalid was collected, and H. R. 11, which ratified the act of the legislature in levying that void tax.

The matter came before the court on motion of the attorney general to dismiss the case brought by the Arlington Oil company and three other dealers for a declaratory judgment that the \$1,113,000 void tax collected could be returned to the dealers who promised to do equity with the consumers who actually paid the tax in the first place, and that the laws named be held invalid. Both agreed that they could should pass on the validity of these two new laws, as this would end the controversy.

Assistant Attorney General Murphy argued that the action brought raised the same issues as were decided when the court dismissed the dealers' petition in intervention in the original case. In that decision the court held that as the consumers were not parties to the controversy a decision would be binding upon them and would not terminate the controversy; that a taxpayer could not maintain a suit in the names of himself and others similarly situated for return of the taxes illegally collected, and that the petition failed to state the amount of individual claims.

Mr. Murphy said that the courts have repeatedly held that a retroactive tax might be imposed, and if paid in obedience to the law retained, save where it was shown to have been arbitrary and so remote in time that certain rights had become vested and where the public good was small as compared with private interest. He said that the federal court had repeatedly held that congress had power to ratify collections so made.

Don W. Stewart of Lincoln, oil dealers' counsel, contended the legislature had no power to validate something done under previous unconstitutional acts. He conceded the suit might be dismissed without a decisive ruling because consumers were not parties to the suit. Stewart argued that the legislature was without power to attempt to hold taxes illegally collected or to ratify what had been illegally done. He also contended that the special session was invalid because of a law in effect at the time it met had created a unicameral legislature to succeed it.

Lee Bayse, associated with Stewart in the oil dealers' behalf, also spoke briefly. Stewart was given 10 days to file additional briefs.

Justice Paine disqualified himself in the case because his son, Charles B. Paine, is a member of Stewart's firm. Altho a seven-member court is required to decide constitutional questions, counsel waived objections to a decision by the remaining six.

SEEKS END ELECTORAL VOTE

Washington.—Representative Binderup Thursday proposed a constitutional amendment to abolish the electoral college system of electing the president and vice president and to establish a direct primary system for their nomination. The amendment would provide uniform primaries and names listed on the ballot would be restricted to those persons filing with the secretary of state of the United States a petition signed by one percent of the voters who cast ballots for the presidential candidate of the respective parties at the previous election.

For both primary and general election purposes candidates would receive a proportion of the state's electoral vote as their popular vote corresponded to the total number of the popular votes cast. Candidates having the highest number of electoral votes in both the primary and general election would be declared the winner. Binderup said his proposal was designed to make "a nomination as well as election as nearly as possible a result of popular sentiment."

WILL ASK NEW AIRPORT

North Platte.—An airport to cost an estimated half a million dollars, the money to come from WPA funds, was included in plans presented to the city council by City Engineer Richard Nosky.

Plans for improvements to the municipal airport are being made, in preparation for an application to the WPA for funds to rebuild the airport. Airline officials were interviewed before the plans were drawn.

The proposed system of runways consists of three concrete approaches 100 feet wide and 4,200 feet, 3,250 feet and 3,630 feet long, respectively. Plans call for the construction of two buildings, a hangar and passenger station, and a two story administration structure. The hangar would be large enough to accommodate the proposed new type of passenger plane capable of carrying forty passengers.

The administration building would house company offices, radio station, department of commerce offices, dining room and kitchen, and would have a signal tower.

TO APPEAL TAX DECISION

Geneva, Neb.—County Attorney John Gewacke and Guy Hamilton, Geneva attorney, said they will appeal to the Nebraska supreme court from a decision in two cases in which District Judge Robert Proudfoot upheld constitutionality of the new state delinquent tax liquidation law.

Gewacke attacked the law for Fillmore county in an action in which the county sought to foreclose liens of delinquent taxes against land in the county. The defendants demurred on the basis of the tax law which would cancel interest and penalties on delinquent taxes if paid in equal instalments or in a lump sum.

CUTTING WPA RED TAPE

Omaha.—Impatient at delays encountered in getting men to work on WPA project, Capt. J. M. Young, regional WPA "trouble shooter," cut away red tape upon his arrival here with the announcement that the first 1,300 men to report at Cass Street school would be put to work immediately at salaries of \$55 a month or better. Two weeks ago 2,500 WPA jobs were opened. So far only 1,200 men have been placed. Captain Young's order will take care of the remainder, it was believed.

"There's a place in the WPA for every unemployed married man in Omaha," Young said.

Court Will Decide if State Solons Blunder

Nebraska Supreme Court Judges Hear Arguments on Alleged Liquor Law Conflict.

Whether, after having declared in section 8 of the liquor control act that beer and alcoholic liquors should be sold in separate and distinct places of business, the legislature later injected amendments that nullified that purpose is a matter now in the hands of the supreme court for decision.

In Omaha a district judge held that section 3 was so inconsistent as to be inoperative and void in the face of what was set out in four later sections of the act. In five cases in Lincoln county District Judge Tewell held the opposite. The action before the supreme court was one brought by a number of Omaha liquor dealers who claim the right to sell both beer and hard liquors over the same bar.

In their brief it was argued that the declaration in section 3 was not legislative in character, being merely one relating to policy of the state, and was not followed in sections 25, 26, 82 and 83, which should be interpreted to mean that sales of both intoxicants may be sold in the same rooms.

The attorney general said that section 3 was controlling; that section 25 merely defined what constituted a retailer's license, and that the use of the word "or" instead of "and" conclusively showed that the legislature was thinking of separate sales. Section 26 fixes the retailers' fee, and sections 82 and 83 relate entirely to procedure. He said the trouble with the liquor dealers' attitude was that they thought "intoxicating liquors" as used in the law meant both beer and hard liquors.

PROGRAM FOR LENT AT ST. LUKE'S CHURCH

Wednesday, February 26th, Ash Wednesday. Penitential service and Holy Communion at 10 a. m.

Fridays at 7:30 p. m. visiting preachers as follows: Revs. R. S. Cobb, of Council Bluffs; G. St. G. Tyner, J. T. Knight, V. E. Holley of Omaha; Garth Sibbald of Lincoln; F. W. Clayton of Omaha.

Good Friday, April 10th, services from 12 noon to 3 p. m.

Sundays general subject "Conflict." The Sunday morning sermons will be on the Gospels for the day.

March 1—"Conflict With Things That Degrade."

March 8—"With Sickness and Disaster."

March 15—"With Supernatural Forces."

March 29—"With Critics of Jesus' Work."

April 6—Palm Sunday. "With Critics of Jesus' Leadership."

April 12—Easter Day, Holy Communion, sunrise service at 6 a. m. Full choral service at 11 a. m.

The rector will hold four devotional services on a week night in Blair and administer Holy Communion on Easter day in Blair at 8:30 a. m.

BID FOR THE DOLLAR

Fredericksburg, Va.—Spirited bidding for the silver cotiar Walter Johnson will attempt to hurl across the Rappahannock river Saturday sent the price up to \$100. Just what will happen if the dollar falls into the river was not decided.

Journal Want-Ads cost little and accomplish much.

Black & White Plattsmouth's Leading Cash Store. OATMEAL, made by Quaker Co., 5-lb. sack. 25c. IGA LAUNDRY SOAP, 6 large bars. 25c. P & G SOAP, 6 large bars. 25c. DREFT, 1 large pkg. and 1 10c pkg., both for. 26c. PURE MUSTARD, quart jar. 15c. FLOUR: Golden Sun \$1.49, Omar 1.75, Gooch's Best 1.75. Soup: Vegetable 5c, Tomato 5c, Pea 5c. DILL PICKLES, full quarts. 13c. CATSUP, Midwest brand, 14-oz. bottle. 10c. PINEAPPLE, broken slices, No. 2 1/2 can. 19c. GRAPEFRUIT, No. 2 can. 10c. COFFEE: Don Leon, lb. 25c, Blue 'G', lb. 23c, Red 'A', lb. 19c, Bourbon, lb. 17c. PURE Preserves and Jellies: 16-oz. jar 25c, 32-oz. jar 49c, Windmill Brand. TOMATOES, No. 2 cans, 3 for. 25c. CORN, Country Gentleman, No. 2 can. 10c. CRACKERS, Soda or Graham, 2-lb. box. 19c. SOUP, Vegetable, Tomato or Pea, per can. 5c. PEANUT BUTTER, 32-oz. jar. 28c. IGA HEALTH SOAP, 4 bars. 19c. One 10c Face Cloth Free with Each 4 Bars. Meat Department: Salt Pork, per lb. 15c. Sauer Kraut, 6 lbs. for. 25c. Neck Bones, 3 lbs. for. 20c. Round or Sirloin Steak, per lb. 25c. High Quality Corn Fed. Lenten Season Specials: Herring, Fancy Holland Milk, 9-lb. keg. \$1.05. Herring, Fancy Holland Mixed, 9-lb. keg. .93. Fillets of Haddock - Whiting - Sable - Halibut. Finest Fresh Oysters.

TAKES CASE TO HIGH COURT. New York.—Mrs. Gloria Morgan Vanderbilt carried her fight to obtain sole custody of her daughter Gloria to the United States supreme court. The move was disclosed when the appellate division signed an order to permit the county clerk to unseal the record of the case to certify it for presentation to the court at Washington. Under terms of a supreme court order, upheld by the appellate division of Albany, Mrs. Vanderbilt was given custody of her 11 year old daughter only on week ends. Principal custody was given to Mrs. Harry Payne Whitney, aunt of the child. BIDS ON ENGINE BASE. Blair, Neb.—Bids will be opened here March 4 for a foundation for a new engine in the city light plant. The engine, a \$40,000 unit, has been purchased. Entire cost of the work is estimated at \$50,000. Phone news items to No. 6.

Farmers Busy at Winter Plowing. This isn't a geyser in the act of performing, but a miniature blizzard staged near the Minnesota-Iowa line when a huge rotary snow plow went into action, throwing snow for several hundred feet as it cut through the mountainous drifts which tested the combined forces of emergency crews of farmers and state highway workers.

Fair and Warmer THAT'S A SAFE PREDICTION—and HERE'S ANOTHER. Every man who reads these lines wants a new Spring Suit and Top Coat. He wants it to fit him—he wants a full assortment to choose from, and he wants it within his price range. We can meet every requirement. Our established Tailor Service is at your command! All Wool Fabrics - Silk Lined - Fully Guaranteed \$23.50, \$27.50, \$29.50 and Up Wescott's

Good Luck Quick or Regular OATS. Small Pkg. 7c, Large Pkg. 16c. HINKY DINKY. Plattsmouth, Tues., Wed., Febr. 25-26.

Bounds Brand TOMATOES. No. 2 Cans 4 for 29c. Tick Tock Sliced PEACHES. No. 2 1/2 Can 2 for 25c.

Fresh Shipment Frozen Fish. BRIGHT FALL SALMON, pieces to bake, 2 lbs. 25c. SABLE FISH, pieces to bake, 2 lbs. 25c. FILLETS OF FISH, 2 lbs. 25c. HALIBUT, Sliced, lb. 19c; Pieces, lb. 17 1/2c. KIPPERED CHINOOK SALMON, ready to eat, lb. 25c. BEEF BRAINS, fancy Selected, 2 sets. 15c. BEEF HEARTS, young, tender, lb. 9c. BEEF STEAK, U. S. Choice, Shoulder, lb. 17c. PORK STEAK, choice, lean, lb. 23c. HAMBURGER, freshly ground, 2 lbs. 25c. BACON BRISKETS, Swift's Fancy, lb. 22 1/2c. CHEESE, fancy American or Brick, lb. 21c. MINCED HAM, Armour's fancy, lb. 15c. PEANUT BUTTER, fancy bulk, 2 lbs. 25c. HERRING, Fancy Holland Mixed, 9-lb. keg. 95c. Fancy Holland Milk, 9-lb. keg. \$1.05. During the Lenten Season, you will find Hinky-Dinky markets well stocked with a large selection of smoked, pickled and fresh sea foods at most reasonable prices.

Sunrise COFFEE. 3 lbs. 49c 17c, 1-lb. Pkg. 17c. Glenn Valley Catsup. 1-lb. 10c, Bottle 10c. Sunlight Margarine. 1-lb. 15c, Carton 15c.

Grape Nuts. Pkg. 17c. Fancy Pink Salmon. 1-lb. 11c, Tall Can 11c. Casco BUTTER. 1-lb. 38c, Carton 38c.

CAULIFLOWER, fresh Calif. Snowball, lb. 9c. LETTUCE, large, fresh, solid Calif. Iceberg, head. 6c. CAEBAGE, fresh, solid, green Texas, lb. 4c. ORANGES, 344 size, 2 doz. 35c; 216's, doz. 33c. GRAPEFRUIT, large Florida Marsh Seedless, 5 for. 25c. APPLES, York Imperial, 6 lbs. 25c; Bu. basket. \$1.65. CELERY, tender Calif., large, well bleached stalks. 10c. YAMS, Louisiana Porto Ricans, 6 lbs. 25c.

Big 4 White Naptha SOAP. 10 Bars 27c. Lighthouse CLEANSER. 3 cans, 10c. OTOE CHIEF FLOUR. 48-lb. 1.39, Hinky-Dinky 5 lbs. 23c; 10. 45c, 24 lbs. 85c; 48 lbs. 1.59.

Del Monte Coffee. ORTHO-CUT FOR FINE FLAVOR. 2-lb. Can. 51c, 1 Lb. Can. 26c.

Help Kidneys. If poorly functioning kidneys make you suffer from Getting Up Nights, Nervousness, Rheumatic Pains, Stiffness, Burning, Smarting, Itching, or Acidity, try the guaranteed Doctor's Prescription (Cystex) (See box). Must fix you up or money back. Only 75c at drug stores. Cystex.