

The Plattsmouth Journal.

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NO. 55

Young People are Married at Davenport, Iowa

Miss Leona Ringking and Mr. George E. Rebal Married at Iowa City Tuesday Afternoon.

The marriage of two of the popular young people of Iowa City, Iowa, occurred on Tuesday afternoon at Davenport, Iowa. Miss Leona Ringking and Mr. George E. Rebal, being married there at the parsonage of the First Christian church.

The marriage lines were read by the Rev. Kirtley Gillun, pastor of the church and the ceremony witnessed by Mr. and Mrs. Russell McKay of Lamont, Iowa, at whose wedding Mr. and Mrs. Rebal had assisted several months ago.

The bride's gown was of boue with brown accessories and with a corsage of gardenias.

Following the wedding Mr. and Mrs. Rebal started on a short honeymoon to visit with the relatives and many friends in this section of the west. The bridal couple arrived here Wednesday afternoon to visit at the home of Mr. and Mrs. James Rebal, parents of the groom and the other relatives and friends here for a short time.

The bride is a daughter of Mr. and Mrs. Leo Ringking of Lowden, Iowa, but is at this time making her home in Iowa City where she has a very large circle of friends.

The groom is the youngest son of Mr. and Mrs. James Rebal and was born and grew to manhood in this city, graduating from the local high school in the class of 1927. He has been engaged in retail business since leaving school, first at Omaha and later at Iowa City, where he now owns and operates two large meat markets in connection with one of the large independent chain store systems.

Mr. and Mrs. Rebal are returning to Iowa City following their honeymoon and will locate at once in their new home in that city.

The many friends here will join in their best wishes for the future happiness and success of these estimable young people.

DISPOSES OF RESTAURANT

C. B. Moffitt, who has been operating the cafe on the south side of Main street between Fourth and Fifth streets, has disposed of the same to S. J. Stepnek, of Omaha, who is to take over the business on September 1st.

Mr. Stepnek is an experienced restaurant man and expects to move here soon with his family to get settled for the formal taking over of the business and to look after the demands of the public.

Mr. and Mrs. Moffitt and family are planning on moving to the west coast and will locate at Portland, Oregon, they having made their home in that section of the country several years ago. They have made many friends while here and who regret very much to see them leave the community.

HERE FROM THE WEST

From Thursday's Daily
Mrs. George Iske and children, Barbara and Bruce, arrived last evening from their home at Fort Collins, Colorado, and are visiting with relatives in this locality. Mrs. Iske is a daughter of Mr. and Mrs. Warren A. Tulene of this city and she is visiting with them as well as with the members of the Iske family here and in Sarpy county.

OFF FOR AN OUTING

Saturday evening after the close of business hours, Clerk of the District Court C. E. Ledgway and William Roy Holly, of the Soennichsen department store will depart on their summer outing. The matter of court records, judgments, writs of habeas corpus as well as fitting a number ten foot into a number eight shoe will be far from the thoughts of "Chick" and Roy as they are preparing to feed the bears in the Yellowstone park as well as visiting at Imperial with old friends en route.

REV. LENTZ IN HOSPITAL

The host of friends of Rev. and Mrs. A. Lentz, of the Eight Mile Grove Lutheran church, west of this city, will regret to learn that he is now in the hospital at Odell, Nebraska.

Rev. Lentz and family have been in Texas on a vacation and while there the pastor fell and injured his leg but it was not thought serious and he started on home to Cedar Creek. The family stopped at Odell, the home of Mrs. Lentz's parents and there Rev. Lentz was suffering so much that it was necessary for him to remain at the hospital for a time at least.

W. H. Haith is Badly Burned While Bailing

Working at Cline Farm Near Union When Straw Burns, Destroying His Bailer and Tractor.

Wednesday afternoon while W. H. Haith was operating his bailer at the Cline farm north of Union, the straw that was being bailed caught fire and in a few moments had spread so rapidly that it was impossible to check the blaze, altho the force of men assisting in the bailing were present when the fire started.

It is thought the fire may have started from a cigarette or match dropped and which soon caught the dry straw around the bailer. The straw burned rapidly and Mr. Haith, the owner of the machine sought to take the bailing machine out of danger and drove his tractor up to pull the machine. The blaze grew in intensity and in his efforts to save the bailer and tractor Mr. Haith received bad burns on the arms and face and was finally forced to flee from the fire that gradually swept over the bailer and tractor, completely destroying them as well as burning all of the straw.

The injured man was taken on into Murray and where he was given treatment for the burns and made as comfortable as possible under the circumstances.

Mr. Haith is well known over the county where he was formerly in the harness business at Weeping Water and later engaged in farming. This season he has been conducting a hay and straw bailing machine on the farms over this section of the county.

GREENE-RUETER WEDDING

The marriage of Donna Beth Greene to Alvin Rueter took place at the home of the bride's parents, Mr. and Mrs. T. H. Greene, in Elmwood Tuesday evening, August 11, at 8 o'clock, in the presence of fifty relatives.

The bride wore light blue floor length organza with a shoulder corsage of Tallisman roses. The bridesmaid wore a gown of yellow embroidered organdie with a corsage of Tallisman roses and Delphiniums. They were met at an improvised altar of garden flowers and ferns by the groom and his brother, Clarence Rueter. The grandfather of the bride, Rev. F. L. Weigert, performed the ceremony. The prelude and Lohengren's wedding march were played by Mrs. Chas. Staley of Milford, an aunt of the bride.

Light refreshments were served by the Misses Shirley Greene, Pearl Rueter and Hilda Schlaphof.

Out-of-town guests were Miss Lubertha Kline of Franklin; Mr. and Mrs. Frank Schroeder and daughters of Wahoo and Mr. and Mrs. Harry Tolhurst of Raymond.

After a short trip Mr. and Mrs. Rueter will be at home on a farm after September 1st.

TO RETURN HOME SOON

John L. Tidball, who has just recently undergone an operation at the Immanuel hospital in Omaha, has so far recovered from the effects of the ordeal that it is hoped he may soon be able to return home and resume his usual activity. Mr. Tidball is feeling much better and it is hoped will derive permanent relief from the operation.

Met to Discuss Uniforms for the Jr. Drum Corps

Representatives of Half Dozen Civic Organizations Respond to Call of King Korn President

From Friday's Daily

A meeting was held last night to discuss ways and means of financing the purchase of badly needed equipment and uniforms for the Plattsmouth Junior Drum and Bugle corps, now in its fourth year of existence, under the direction of C. A. Marshall. Equipment needed, if the organization is to continue, includes a number of additional drums and at least a dozen bugles, as these have been provided by the individual members in the past, quite a few of whom have come to the age where they drop out of the Junior corps.

The drums and two or three bugles were supplied by the Legion, being left from the time the Legion supported a Senior corps some eight to ten years ago.

The meeting was attended by representatives of the Korn Klub, the Chamber of Commerce, Ad club, Rotary club, Woman's club and American Legion.

Director Marshall reported plenty of younger boys on the waiting list to take the place of older members who drop out, some of whom are now blowing borrowed bugles or practicing drum beats on barrel heads or chair seats, due to lack of equipment.

The Legion took note of this shortage at its meeting last week and voted \$100 for the purchase of additional drums and bugles, provided the corps is to be uniformed and continued.

It was the consensus of those present at last night's meeting that the Korn Klub president, Henry Soennichsen, appoint a committee composed of a representative from each of the above organization to devise means of raising money to outfit the corps of thirty members with suitable uniforms. The cost of these will run around \$12 each, complete, depending somewhat on the type that is selected, or a total of \$360.

The only uniforms the corps has ever had were the white trousers and shirts, with red capes made from a cheap, flimsy material by mothers of the boys. The total cost of these was around \$2 per boy, and they have served for several years.

Last year, the corps was entered at the Mid-West Musical Festival in Omaha appearing in competition with some of the best and most expensively uniformed Junior corps of the middle west, where they, rated fifth place award and were the only Nebraska Junior corps given rank by the judges.

Those who know, say they are one of the best drilled Junior corps in the state today, and but for lack of uniforms could rank much higher in competition.

Appearance of the corps has been one of the highlights of the past several annual Korn Karnivals here, and the cost of their present meagre uniforms was largely borne by the Korn Klub.

Director Marshall has given of his time each week entirely gratuitously, and the Legion contributed its equipment worth around \$150 when the corps was first organized and now stands ready to contribute another \$100 to the purchase of additional needed equipment if the corps is to be continued.

It is felt the committee will be able to work out plans for the securing of uniforms in time for use at this year's Korn Carnival the latter part of next month.

TO VISIT IN MICHIGAN

From Friday's Daily

A party of Plattsmouth people are to leave Saturday on an outing to the north portion of Michigan where they will spend a short time with relatives and friends. The party will comprise Mr. and Mrs. John Libershal, Mrs. Cora Hirz and Louis Baumgart. They are driving to Marquette, Michigan, where they will be the guests of the August Libershal family and enjoy visiting the many places of interest in the northern portion of the state.

GOES TO COLORADO

From Friday's Daily
This morning H. A. Schneider, president of the Plattsmouth State bank, departed on his summer vacation which will take him to the mountains of Colorado for a rest for a few weeks. He motored to St. Edward, Nebraska, where he was joined by Mr. and Mrs. Eugene Burdick and children and who will go on to the west with him. They will be joined in Colorado by Mrs. Schneider, who has been visiting on the west coast and they will enjoy a stay at Loveland, Colorado, where the John Ramsey family resides, Mrs. Ramsey being a sister of Mrs. Schneider.

Gunmen Stage Raid at Avoca Farm Homes

Two Gunmen Strike Sunday in the Straub Neighborhood and Escape with \$100 Loot.

Two gunmen struck terror in the vicinity of Avoca Sunday when they raided the farm homes of O. D. and Henry Straub, members of a prominent wealthy family of southern Cass and northern Otoe county.

The duo of robbers first broke into the Henry Straub farm home while the family was absent and made away with three watches and other jewelry, a check of the place revealed later. From the Henry Straub place they had gone to that of O. D. Straub and family nearby and forced their way into the home while the members of the family were absent, making a search of the house for valuables.

While they were searching the home Mr. and Mrs. O. D. Straub and their daughter returned home from church services in time to discover the looting.

The robbers when caught in their pitting, drew their guns and held the members of the Straub family at bay while they proceeded to make their retreat, shooting the tires of the Straub car to prevent pursuit.

The men secured nothing of value at the O. D. Straub home and the value of that taken from the Henry Straub home is estimated at \$100.

Both of the homes contained safes and the combinations had been knocked off of both in an effort to force an entrance but which was unsuccessful.

Sheriff Ryder of Otoe county, where the crime was committed, stated the men drove a small car bearing a license number of a car that was stolen at Omaha.

BAND DOING FINE

The band which is a part of the WPA recreational program in this city, is doing very nicely and some excellent work is reported by Peter Gradoville, director of the organization. Mr. Gradoville reports that there are twenty-five of the members out every morning for instruction and practice and a fine advancement is being shown by the students.

Mr. Gradoville would like to have high school students who have had experience in band work out to join in making the band a great success and one that can be made a real community asset. There is need for a number of trombones in the band and anyone having and playing this instrument could assist greatly in reporting to Mr. Gradoville.

STUDY CENTER ACTIVE

The Plattsmouth Study Center is still accepting registrations for University of Nebraska correspondence courses. You are entitled to regular University of Nebraska credit on completion of any of the correspondence courses taken through the Study Center. The rates are very reasonable, \$1.00 registration fee and 75c per college hour. For those folks who cannot afford to go away to attend college and are interested in furthering their education, this should be of special interest as they may earn college credits while at home or working. High school courses may also be taken. For further information call or see Mr. Laase at the Plattsmouth high school.

ST. PAUL'S SOCIAL

Your patronage will be appreciated at the St. Paul's Sunday school ice cream social and cafeteria, to be held in the basement of the church, August 19. Serving starts at 5 o'clock. Menu: Potato Salad, Sandwiches, Pickles, Pie a la mode, Coffee, Ice Cream and cake; 5c per item.

Phone news items to No. 6.

Explains Workings of the Old Age Assistance

State Director Irl D. Tolan Sets Out Law Regarding Qualifications for Assistance.

"Recently the office of the State Assistance committee has received numerous letters, both signed and unsigned, from residents of Cass county, protesting that the grants for Old Age Assistance were insufficient. A study of these letters leads us to believe that the public in general is not familiar with the laws governing the administration of the Social Security program. Knowing you to be vitally interested in the welfare as well as peace of mind of your citizens, together with your desire for the successful administration of this worthy program, we are giving you a few pertinent facts which we hope will serve to convince the good people of Cass county that the state assistance office, as well as their county board, is earnestly striving to efficiently administer this program to the best advantage of those most interested, namely, the needy aged."

"In the fall of 1935, a special session of the Nebraska legislature passed several acts setting up a program of assistance for needy aged individuals. This is not a pension law, as many seem to believe, but is a form of relief for those who can qualify. In order to be eligible one must be at least sixty-five years old, must have no children or other relatives legally liable for his support who are financially able to care for him, and must be in need of assistance, as well as certain other requirements of residence, etc. To be classed as needy, a person may not have liquid assets, exclusive of the home in which he lives, exceeding a fair value of \$300. Assistance not to exceed \$30 per month may be granted to eligibles and the amount must be the difference between their budgetary needs and income, if any, provided sufficient funds are available to the county, and the grants are based entirely upon the needs of the applicant.

"Our state law makes it mandatory for state funds to be distributed to counties in exact ratio that the county population bears to the state as a whole. The actual number of applications received to date have far exceeded the estimate made at the time appropriations were determined by the legislature. Due to these circumstances, the state assistance committee and the county board find it impossible to approve grants as large as we would like, and, at the same time, not be guilty of misappropriation of funds. To the end that this may be still more clearly outlined, we give you the following:

"Amount of funds available to Cass county for the twelve months ending June 30, 1937, \$70,203.44.
"Available per month, \$5,850.29.
"Largest possible average grant, \$18.40.
"318 applications received to date."

RETURN FROM OUTING

Dr. and Mrs. H. G. McClusky are home from their month's outing in the east and which they have spent with relatives and friends at Inlet, New York, one of the pleasant resorts in the Adirondacks and where in the coolness of that climate they were much refreshed.

They had a most delightful time with the exception of the infection of Mrs. McClusky that caused her a great deal of pain.

The pastor will hold the regular services at the First Presbyterian church Sunday morning as usual and will receive a cordial welcome home from the members of the congregation.

REPORTS SOME RAIN

From Saturday's Daily
Joe W. Whitlatch, a resident of the Greenwood community, was in the city today to look after some matters of business. Mr. Whitlatch reports that in his community there was a trace of rain, but farther east in the vicinity of South Bend there was a much heavier rainfall, in some places the water standing in the roads.

We will appreciate our readers Phone details to No. 6.

CHILD SUFFERS BURNS

Thursday afternoon, Paul, III, the small son of Mr. and Mrs. Paul Vandervoort, II, was severely burned by hot water at the family home on North 8th street. The little lad was to be given a bath and the mother was engaged in preparing the bath, carrying a pan of hot water to the bath room, when the lad suddenly ran into the mother and caused the water to splash over him. He sustained some burns on the hands and arms as well as the body but which are not thought dangerous. The child was made as comfortable as possible by Dr. L. S. Pucelik who was called to the scene of the accident.

Mrs. Mary Spenser, Old Resident, Passes Away

Came to Nebraska in 1882 and Has Since Made Her Home Here— Mexican War Widow.

From Saturday's Daily:

This morning death came to Mrs. Mary Spenser, 82, after an illness of some four weeks at the home of her daughter, Mrs. William Highfield on Chicago avenue. Mrs. Spenser up to her last illness had been very active despite her advanced years and was a loved and familiar figure in the community who will be greatly missed.

She was born in October 5, 1854 and came to Plattsmouth in 1882 to make her home and where she was married later to H. G. Spenser, a veteran of the Mexican war, who has long since preceded the wife in death. The deceased lady was a very active member of the Woman's Relief Corps for many years and served in the organization at various times up to the last. In the long years of her residence here she made many friends who will regret to learn of her passing.

The body was taken to the Horton funeral home at Seventh and Vine streets where the funeral services will be held Monday afternoon at 3:30.

Obituary

Mary Elizabeth Davis was born near Victory, Jasmine county in Kentucky on Oct. 5, 1854, and when a small child moved with her parents Jennie and Henry Davis to Alexandria, Missouri, and lived there until she came to Plattsmouth in October, 1882.

She was the sixth of nine children and was the last living of her immediate family.

She was married to Hiram George Spenser who preceded her in death in 1897.

She was united with the Christian church of this city when still a young woman, later taking up membership with the Methodist Episcopal church of which she has been a member for a number of years. She has been a faithful member of the Women's Relief Corps as well as the W. C. T. U.

She leaves to mourn her death one child, Mrs. William Highfield with whom she has made her home, and five grandchildren.

RETURN FROM OUTING

Dr. and Mrs. R. P. Westover and daughters, Janet and Ruth, returned Thursday from a two weeks outing in Minnesota where they enjoyed the fishing and the outdoor life of the lake country. While not in the immediate section of the forest fires that are ravishing the northern portion of Minnesota, they could easily detect the smoke that was hovering over the state as the result of the intense fires.

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Tax Paid Under Void Law Subject to Interest

Court Decision Makes House Roll 4 Inoperative from Date of Its Passage by Legislature.

Persons who made payment of taxes (in whole or installment) under the non-penalty interest terms of House Roll No. 4, Special Session 1935 Legislature did not gain anything, as the declaring of the law unconstitutional by the supreme court not only makes it as inoperative as though it had never been passed but dates back to the time of passage, instead of merely to the date when it was found unconstitutional by the court a few weeks ago.

Numerous persons who had paid taxes under the provisions of this law before it was held void, have believed they stand relieved of penalty interest on their taxes because they tendered payment prior to the date of the court decision, but such is not the case, and their property stands charged with the additional sum, which must be met before a clear title can be given.

The Attorney General has approved an opinion given by the Assistant County Attorney of Douglas county to the Treasurer of that county, which sets out the legal basis for such a ruling in the following manner (deleted of the source of court citations which would be of little interest to the non-legal minded person):

"... Your request for an opinion is specifically directed to the present status of those tax payers who have taken advantage of House Roll No. 4. The general rule on this question has been determined by the Supreme Court of this state. (Lengthy citations, conforming with and similar to the following):

"An unconstitutional act confers no right. It imposes no duty. It affords no protection. It is in legal contemplation as inoperative as though it had never passed."

"The following opinion by the United States Supreme Court determines the time factor of when an unconstitutional law becomes null and void, being the leading authority in this country, and there are numerous Nebraska cases supporting this same rule. (Citing):

"A decision that a statute is unconstitutional has the effect of rendering such statute absolutely null and void from the date of its enactment, and not only from the date on which it is judicially declared unconstitutional."

"The following general rule is also supported by competent authority:

"All acts done under an unconstitutional law are void and of no effect."

"It is clear from the decisions herein quoted, that the taxpayers who attempted to take advantage of the provisions of the unconstitutional House Roll No. 4 HAVE GAINED NO RIGHTS and their taxes were paid in as if House Roll No. 4 had never been enacted. These taxpayers cannot complain because they merely paid a tax legally due, and owing, and since House Roll No. 4 has been declared unconstitutional, they find themselves in a situation where they HAVE NOT PAID THE FULL TAX that was and is legally due and owing.

"In other words, no taxpayer has been prejudiced, because he only did what he was legally bound to do, and he gained no privilege under the void House Roll No. 4 that became a vested right.

"It is our opinion, therefore, that any taxpayer who has either paid a tax in full, or partially, under the aforesaid House Roll No. 4, MUST PAY THE INTEREST AND THE TAX IN FULL, and that the lien created by statute is in full force and effect for the tax, plus the interest."

VISITS AT SYRACUSE

W. G. Kieck, candidate for district judge, was a visitor at Syracuse Wednesday to enjoy the day visiting with his friends there and getting acquainted with new ones. The occasion was a picnic arranged by the residents of the community and which was very largely attended.