

LEGALS

First publication June 5, 1947. NOTICE OF REFEREE'S SALE Notice is hereby given that by virtue of an Order of sale issued by the District Court of Holt County, Nebraska, in an action pending in said Court wherein Leslie J. Jensen and Christian Jensen are plaintiffs and Richard Lee Holmes, a minor, and others are defendants, being Case No. 14339, directing me as Sole Referee to sell the following described real estate, to-wit: The East Half of Section 20 and the North Half of the Northeast Quarter of Section 29, all in Township 25, North, Range 13, West of the 6th P. M., in Holt County, Nebraska, I will offer and sell said real estate at public auction on Thursday, the 10th day of July, 1947, at one o'clock P. M. of said day, at the front door of the Court House in the City of O'Neill, Holt County, Nebraska.

Said sale will remain open one hour. Terms of Sale: 20% cash on day of sale; balance payable upon confirmation and delivery of deed. JULIUS D. CRONIN, Sole Referee

(First publication June 5, 1947.) NOTICE OF SUIT To: Sarah K Metcalf; the heirs, devisees, legatees, personal representatives, and all other persons interested in the Estate of Sarah K. Metcalf, Deceased, real names unknown, and All persons having or claiming any interest in the Southwest Quarter of Section Twenty, Township Twenty-nine, North, Range Ten, West of the 6th P. M., Holt County, Nebraska, real names unknown, defendants: You and each of you are hereby notified that on the 21st day of May, 1947, William G. Malenke as plaintiff filed his petition in the District Court of Holt County, Nebraska, against you as defendants, the object and prayer of which is to quiet and confirm the title in him, the said William G. Malenke, to the real estate above specifically described, as against you and each of you, and to secure a Decree of Court that you have no interest in, right or title to, or lien upon said real estate or any part thereof; and for general equitable relief.

You are required to answer said petition on or before the 14th day of July, 1947. Dated this 3rd day of June, A. D. 1947. WILLIAM G. MALENKE, Plaintiff By Julius D. Cronin, His Attorney

(First publication June 5, 1947.) ESTIMATE OF EXPENSES OF THE CITY OF O'NEILL The following is an estimate of the expenses of the City of O'Neill, Nebraska, for the fiscal year commencing the first Tuesday in May, 1947, and ending the first Tuesday in May, 1948:

Table with 2 columns: Expense Category and Amount. Includes Wages and Salaries as provided by ordinance (\$3,500.00), Maintenance of Police Department (4,500.00), Maintenance of Water Department (1,800.00), Operation of Water Works (5,000.00), Improvement of Water Works (90,000.00), Street Lighting (3,500.00), Maintenance of Sewer System (2,000.00), Improvement of Sewer System (70,000.00), Street Maintenance, Walks, construction (2,000.00), Sewer Bonds, principal and interest (8,000.00), Maintenance of Fire Department (3,000.00), Miscellaneous (5,000.00), Support of Band (500.00), Parks and Grounds (none), Airport (1,500.00). Total: \$46,802.90

Entire receipts of revenue for day in May, 1947, was as follows: Water Collections \$13,382.52, Holt County Treasurer, taxes 16,813.75, Licenses, fees, occupation taxes 2,190.05, Police Judge 12.20, State Aeronautics Commission 1,414.04, Miscellaneous 12,990.34. Total \$46,802.90. Dated June 3, 1947. F. J. DISHNER Mayor

Money to Loan ON AUTOMOBILES TRUCKS TRACTORS EQUIPMENT FURNITURE Central Finance Co. C. E. Jones, Manager O'NEILL, NEBRASKA

(First publication June 12, 1947) Elven A. Butterfield, Attorney NOTICE TO CREDITORS Estate No. 3397 In the County Court of Holt County, Nebraska, June 12, 1947. In the matter of the Estate of Minnie Brittell, Deceased. CREDITORS of said estate are hereby notified that the time limited for presenting claims against said estate is October 3, 1947, and for the payment of debts is June 12, 1948, and that on July 3, 1947, and on October 4, 1947, at 10 o'clock A.M., each day, I will be at the County Court Room in said County to receive, examine, hear, allow, or adjust all claims and objections duly filed. LOUIS W. REIMER, County Judge, COUNTY COURT SEAL 5-7

Ordinance No. 227-A An ordinance relating to penal regulations; to prohibit persons from committing misdemeanors within the corporate limits of the City of O'Neill, Nebraska, and defining the same as follows: Operating bawdy or disorderly houses; practicing prostitution; being drunk, or being under the influence of intoxicating liquor, narcotic drugs or barbitals; gambling; indecency, firearms and weapons, minors, offenses against property, offenses against public peace, interference with officers in the performance of their public duties; miscellaneous offenses and classifying them for purposes of enforcement; providing rules concerning the prosecution of corporations, costs, fines, commitments and commutations incident to convictions had in the police court; to provide penalties for the violation thereof; to repeal all ordinances and parts of ordinances in conflict therewith; and to prescribe the time when this ordinance shall be in full force and take effect.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF O'NEILL, NEBRASKA: (b) FIREARMS, WEAPONS AND BURGLAR TOOLS (1) FIREARMS NOT TO BE DISCHARGED IN CITY LIMITS, EXCEPTIONS. — No person, except an officer of the law in the discharge of his duty, shall fire or discharge any rifle, gun, pistol, fowling piece or other firearm within the corporate limits of city. PROVIDED, this section shall not apply to licensed shooting galleries or to private shooting ranges within buildings, approved by the mayor and council; nor shall it apply when necessary for the public or individual defense and safety; nor shall it apply when necessary for the carrying on of any business or the presentation of any play, theatrical or stage performance or public spectacle or exhibition duly authorized or licensed.

(2) AIR GUN, NIGGER SHOOTER or SLINGSHOT LOADED WITH DANGEROUS MISSILE NOT TO BE DISCHARGED IN CITY LIMITS. — It shall be unlawful for any person or persons to discharge, or cause to be discharged, any toy pistol, toy gun, air gun, blank cartridge, revolver or any other arm or arms, or any nigger shooter or slingshot loaded with rock or leaden or other dangerous missiles, at any time or under any circumstances, within the corporate limits of city. (c) MINORS (1) MINORS, CURFEW; PROHIBITED ON STREETS, ALLEYS, VACANT LOTS or PROPERTY OF ANOTHER AFTER CERTAIN HOURS, EXCEPTIONS. — It is hereby made unlawful for any person under sixteen years of age to be or remain in or upon any of the streets, alleys, vacant lots or property of another or public places in city, at night after the hour of eleven o'clock P. M., unless such person is accompanied by parent, guardian or other person having the legal custody of such minor person, or is going to or from some meeting or assemblage of lawful character, or is in the performance of an errand of duty, directed by parent, guardian or other person having the legal custody of such minor person, or whose employment makes it necessary to be upon the streets, alleys or public places during the night time after said specified hours. PROVIDED, that this exception shall not apply when persons under sixteen years of age shall play or loiter unnecessarily in or upon such street, alley, vacant lot, property of another or public place, whether alone or accompanied by parent, guardian, person or persons, whomsoever. No minor shall play or loiter in any street, alley or public place in city at any time to the inconvenience of the ordinary traffic over and upon such streets, alleys, or public places. The time when minors shall disperse from the streets may be indicated, if ordered by the mayor and council, by some siren, whistle or other appropriate signal.

(7) SOLICITING ALMS and CHARITIES. — It is hereafter declared unlawful for any person, persons, firms or corporations, or their agents, to solicit upon the public streets or in any private residences, or business houses within the corporate limits of city, any alms, charities, gifts, donations, contributions or benefices, whether for public or private benefit, unless the persons, persons or firms or corporations, shall have first secured from the mayor of city, or some person designated by him, a permit in writing especially authorizing him, them or it to conduct such operations within the said corporate limits.

(8) VAGRANT, DEFINED; VAGRANCY. — Any person or persons not having visible means of support and maintenance and who live without employment, and all persons wandering abroad and living in sheds, barns or in the open air, or in other places not provided for private habitation, and all persons who go about within city begging and soliciting alms, and any and all prostitutes, keepers, occupants and pimps of houses of prostitution and any and all persons who are commonly engaged in gambling, shall be deemed and are hereby declared to be vagrants. Any person found guilty of vagrancy as in this section defined shall, upon conviction thereof, be punished as hereinafter provided.

(g) STREET AND SIDEWALK OBSTRUCTION (1) STREET OBSTRUCTIONS; PAPER, RUBBISH, REFUSE; NO BUILDINGS WITHIN STREETS OR ALLEYS. — It shall be unlawful for any person or persons within the corporate limits of city, to throw paper or other rubbish, waste or refuse in or upon any street or alley, to erect or maintain any building or structure in such manner as to be unsafe, injurious or annoying to the public, or to allow any sidewalk, curbstone, gutter, awning or r awning post to be placed or remain in a dangerous condition; or to place or suffer to remain on any sidewalk or street any obstruction injurious to the public use of the same. Any house, barn or shed, building or obstruction of any kind whatsoever, standing in whole or in part on any street, avenue or alley in city, is hereby declared a nuisance. (5) OBSTRUCTION IN SIDEWALK SPACE. — It shall be unlawful for any person or persons within the corporate limits of city, to erect, maintain or suffer to remain on any public sidewalk or on any portion of the area between the lot line and curb line of any street, any stand, wagon, merchandise, machinery, sidewalk signs, or food displays; or to permit or suffer to remain any other obstruction injurious to, inconvenient or inconsistent with the public use of the same. PROVIDED, that a reasonable time shall be allowed to remove from sidewalks and the area between the lot line and curb line, goods, wares and merchandise being received and shipped, or during remodeling of places of business abutting sidewalks or being placed thereon on account of fire, storm or other emergency; AND PROVIDED FURTHER, nothing herein shall be construed as prohibiting council from granting easements for construction of driveways over sidewalk space for reasonable means of ingress or egress to private residences or places of business.

Article V. Penal Provisions. (1) VIOLATION, PENALTY, GENERAL. — Any and all persons violating any of the provisions of Articles I, II, III and IV of this ordinance, for which penalty is not therein provided, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than one dollar and no more than one hundred dollars.

Article VI. Costs, Commitments, Fines, Commutations. (1) COMMITMENT, FINES, COSTS. — In all cases of violation of each of the chapters, articles or sections of this ordinance as herein contained and arranged, or of any other ordinance of city where a fine is imposed upon any person found guilty of the violation thereof, such person so found guilty shall pay the costs of prosecution, and, in default thereof, shall be adjudged to stand committed to the city jail until such fine and costs be paid; and each judgment finding a person guilty rendered under any chapter, article or section in said ordinance, or of any ordinance of this city shall specify in terms that the person found guilty stand committed until such fine and costs be paid, secured or satisfied, or unless said prisoner be sooner discharged by due process of law.

Article VII. Repeal and Operative Clauses. (1) REPEAL OF PRIOR ORDINANCES IN CONFLICT. — All ordinances and parts of ordinances passed and approved prior to the passage and approval of this ordinance and in conflict therewith are hereby repealed. (2) WHEN OPERATIVE. — This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law. Passed and approved June 3, 1947. F. J. DISHNER Mayor.

Attest: O. D. FRENCH City Clerk (SEAL) COUNTY COURT SEAL 5-7

(First publication June 12, 1947.) William W. Griffin, Attorney IN THE COUNTY COURT OF HOLT COUNTY, NEBRASKA In the Matter of the Estate of) NOTICE) OF) MINNIE L.) HEARING) PHILLIPS,) Deceased.)

The State of Nebraska, To All concerned: Notice is hereby given that Ralph P. Phillips has filed a petition alleging that deceased died June 29, 1941, a resident of Holt County, seized of certain school land leases, numbered 61900 and 63262, with the Department of Public Lands and Funds of the State of Nebraska, covering the Southeast Quarter of Section 36, in Township 31, North, Range 9, West of the 6th P. M. in Holt County, Nebraska, commonly known as school land leases, in which petitioner has derived an interest by inheritance from said decedent, praying for a determination of the time of death, the heirs, degrees of kinship and right of descent of real property, of the deceased, which petition will be for hearing in this Court on July 3rd, 1947, at ten o'clock A. M. COUNTY COURT SEAL LOUIS W. REIMER COUNTY JUDGE. 5-7



GREETINGS FOR THE WINNAH! Mauri Rose, winner of the 31st annual 500-mile automobile race at the Indianapolis, Ind., motor speedway, receives greetings from Movie Star Carole Landis and a few thousand other fans as he steps from the sleek racer in which he hurtled to victory. His average speed over the 500-mile course was 116.338 miles an hour, and his share of the prize money totaled \$20,000.

Tribune Takes Stand Against Sunday Baseball

60 Years Ago "The Frontier is glad to see the Tribune take a stand against baseball playing on Sunday and add its influence on the side of right and morality," Editor James H. Riggs wrote. "When the boys fully understand the evils of these practices, we believe they will discontinue them." The work on the steeple of the Catholic church is being completed, and it presents a very fine appearance. J. C. Smoot desires to inform the general public that his place is still the popular resort of all who desire a clean shave, a good haircut, or a cool bath this warm weather. Also, that he keeps on hand a fine line of cigars and tobacco, and invites the general public to call.

25 Years Ago The residents of Orchard have become exasperated over the shooting of fire crackers and other explosives upon the streets, and as a consequence have passed an ordinance prohibiting the firing of any explosives from the streets except on the Fourth of July. C. B. Scott and C. J. Malone have been admitted to the Nebraska Bar Association. Clem Ryan returned from St. Mary's, Kan., where he has been attending high school. He will work in the First National bank this summer. The new school board met on the 8th and organized by electing C. B. Scott, president, and C. J. Harnish, secretary. On the 13th the board again met and accepted the resignation of E. E. Ericson, of Rapid, Mont., who was elected to sometime ago to the position of superintendent. E. H. Suhr, of Lincoln, was elected to the position. Atkinson defeated Emmet 2-1 in baseball Sunday.

10 Years Ago Orville Winchell, 21, bested Jack Morgan, of Wayne, in the 16th annual County club golf tournament here. His win was no fluke as he played consistent and almost unbeatable golf all through the tournament. Ninety-four golfers were entered. L. E. Downey has been promoted to station agent for the CB&Q at Hastings — Nebraska's third largest city on the Burlington system. Patrons of the O'Neill post-office were greeted with empty boxes when they visited the postoffice Wednesday morning — the office having moved during the night to a modern new structure a half-block north. The new office is modern in every respect. The 450 boxes are all supplied with Yale locks.

Dr. J. W. Gill, Wife Married 37 Years CHAMBERS — Dr. and Mrs. J. W. Gill were surprised Sunday when over 25 friends gathered to celebrate their 37th wedding anniversary. The dinner was at the home of their daughter and son-in-law, Mr. and Mrs. Frank Spath. ATTEND WOLFE RITES REDBIRD — Howard Graham and family, Chet Carson and family and Mr. and Mrs. Claude Pickering were among those attending funeral service in Lynch June 11 for Mrs. Marie Wolfe. Sunday dinner guests at the home of Mr. and Mrs. C. H. Switzer were Mr. and Mrs. Ben Asher and son, Ben; Mr. and Mrs. Harold Asher and son, Ronnie, and Mr. and Mrs. Kenneth Asher, all of Page.

Forceable Eviction of Poncas a Black Mark for Whites

By James C. Olson Supt., State Historical Society This year marks the 70th anniversary of one of the saddest events in the history of Nebraska—the forceable removal of the Ponca Indians from their ancestral home on the Niobrara river in northern Nebraska to Indian territory (now Oklahoma). Unlike many other Indians whom the whites encountered out here on these plains, the Poncas were universally friendly, and there is no record that a white man ever lost his life at the hands of a Ponca. That makes the way in which the whites dealt with them look more than ordinarily shabby. Learn Fate in Church First news of the fate that was in store for the Poncas came to them at their mission church one Sunday morning in the autumn of 1876. The missionary told them that he had word from Washington that they were to be removed from their homes and the fields they had tilled so faithfully down into Indian territory. The Poncas were visibly shocked at this breach of faith on the part of the government which would drive them out from the lands that had been guaranteed them by treaty and from the graves of their ancestors. At first they refused to go. Finally, after much urging, they agreed to send 10 of their chiefs to look over the new country. They did not like it. The land was stony and the weather hot. When the chiefs refused to make favorable reports, however, they simply were left in Oklahoma without food or means of return to Nebraska.

Real Estate Transfers

(Editor's note: A glossary of the abbreviations follows: WD—warranty deed; QCD—quit claim deed. The instruments filed at the Holt county courthouse are listed from whom to whom, date consideration, legal description.) WD—Dr. R. H. Gallagher to Carrie H. Townsend 6-11-47 \$800- Lot 19 & 20- Blk 9- Page. WD—Franklin Bancher to Wm. J. Meusch and wf 5-14-47 \$2000- NW 1/4 4-32-14. WD—Loren A. Simonson et al to Irvin B. Simonson 4-29-47 \$2400- E 1/2 NE 1/4 3-30-11. WD—Loren A. Simonson et al to Melvin Johring 4-29-47 \$2400- W 1/2 NE 1/4 3-30-11. WD—Loren A. Simonson et al to Melvin Johring 4-29-47 \$14,400- NW 1/4 3- NE 1/4- SW 1/4 4-30-11. WD—Elmer L. Sterns to Wilbur L. Coleman and wf 6-13-47 \$1600- W 1/2 SW 1/4 26-32-13. WD—Wayne H. Rowse to G. C. Smith 6-11-47 \$825- West 50 ft lot 11- Blk D- Chambers Subj to Mtg of \$1500. WD—Roy J. Stewart to Laurance G. Haynes and wf 5-24-47 \$2500- Lots 17-18-19 and 20- Blk 24- Page. WD—Della L. Dickau to David Heeb 5-31-47 \$2000- Part NW 1/4 NW 1/4 32-30-14. WD—City of O'Neill to Arvid Lindquist 12-30-46 \$279.10- Lot 5- Blk 50- McCafferty's Add- O'Neill. WD—City of O'Neill to Lloyd Lindquist 12-30-46 \$279.10- Lot 4- Blk 50- McCafferty's Add- O'Neill. EX DEED—Roy A. Foxworthy et al ex to Elizabeth Bern 5-22-47 \$2500- Lot 4- Blk 3- Stuart. QCD—George Edward Green to Helen Hazel Green 5-27-47 \$1-Lot 3- Blk 49- McCafferty's Add- O'Neill. QCD—Lloyd Lindquist to Arvid Lindquist 6-11-47 \$1- 1/2 Int lot 4- Blk 50- McCafferty's Add- O'Neill. QCD — Arvid Lindquist to Lloyd Lindquist 6-11-47 \$1- 1/2 Int in lot 5- Blk 50- McCafferty's Add- O'Neill. SHERIFF'S DEED—Peter W. Duffy to Alfons Beelaer, Sr., 9-4-41 \$150- Lot 7- Blk 28- Erwig. WD — Alice Shaffer to Elizabeth Ellsworth 6-9-47 \$4500- Lot 8 S 1/2 lot 9 Blk 2- Atkinson. WD — Robert H. Clifford to Theodore Baumeister and wf 6-9-47 \$5000- All Sec 28-26-16. WD—Fed Land Bank to Grace Moss and hus 6-2-47 \$3200- E 1/2 SW 1/4- W 1/2 SE 1/4 10- NE 1/4 15-31-9. WD—Matie Weller to LaVern Jirak 4-29-47 \$750- 1/2 Int in Lot 26- Blk 2- Collins Add- Atkinson. GRD DEED — Matie Weller Grd to LaVern Jirak 5-2-47 \$750- 1/2 Int in Lot 26- Blk 2- Collins Add- Atk. QCD—G. A. Mitchell to Ray Eldenmiller 5-10-47 \$1- Lots 1-2-3 & 4- Blk C- Millards Add- O'Neill.

William W. Griffin ATTORNEY First National Bank Bldg. O'NEILL W. F. FINLEY, M. D. OFFICE PHONE: 28 First National Bank Bldg. O'NEILL GEO. C. ROBERTSON Insurance Bonds O'Neill Office: 1/2-block north of First National Bank Real Estate Loans DR. A. M. WURTZ Optometrist Office: Wilson Drug Store, Atkinson. Equipped to care for children as well as adults. Try FRONTIER want ads!

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