

The Plattsmouth Journal.

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No. 44

ALL BUT TWO INDICTED ARE HELD FOR TRIAL

A. G. COLE AND J. W. CHILTON CASES DISMISSED; RECORDS DEFECTIVE.

COURT OVERRULES THE PLEAS

First Case Assigned is That of Sheriff C. D. Quinton Fixed For Monday at 10:00 a. m.

From Thursday's Daily— Yesterday afternoon, District Judge F. W. Button of Fremont, presiding in the district court, disposed of the long argued pleas in abatement submitted by the defendants indicted by the grand jury of Cass county, and held all but two for trial before the petit jury at the term of court opening next week.

The case of the indictment in which County Attorney A. G. Cole was charged, with William Grebe and Fred Holmes with malfeasance in office, was also dismissed on the ground that the demurrer offered by Mr. C. A. Rawls for Mr. Cole was sustained by the court. The other defendants on the same charges, however, were held for trial.

The indictment relative to Mr. Cole failed to charge any criminal action in office, simply a charge of irregularity in office without the essential words "Willfully or with criminal intent," and was accordingly quashed by the court in its findings.

In the case of the indictment against J. W. Chilton, charging him with having obtained money under false pretense, was also dismissed on the grounds that the grand jury had failed to designate the amount in which Mr. Chilton was alleged to have been guilty.

The court heard the arguments in support of the pleas of abatement entered in the cases of William Grebe, Fred A. Holmes, Julia Kaufman, C. C. Parmele, Carl G. Fricke, Alvin Jones and in which the attorneys made a very intense attack on the appointment of Mr. D. O. Dwyer as the county attorney and challenged the right of the court to make the appointment at the time and cited cases for the court on the question of such matters, the most effective arguments of the several defendants being offered by Fred Wright of Omaha and A. C. Pancoast representing the interests of Charles C. Parmele and Carl G. Fricke. A. L. Tidd, who appeared for the other defendants, made a very severe attack on the appointment of Mr. Dwyer as well as on the action of the court at the time the appointment was made. The various defendants made their chief argument on the fact that the county attorney was not properly disqualified and that he had offered to take up the cases. Mr. Tidd also attacked the affidavit of Judge Begley in the case which had been offered by the state in their case.

In the reply of the state, Hon. W. T. Thompson of Lincoln, assistant attorney general, answered for the state, giving that in his opinion the statute of the state referred to in the argument of the defendants had contemplated such a condition as existed here in Cass county at the time the disqualification of County Attorney Cole was made by Judge Begley. When the taxpayers of Cass county had petitioned for a grand jury, Mr. Thompson stated, the duly selected county attorney had gone out of his way in opening the jury and had gone so far as to have threatened those who had signed the petition to have them called to testify before the grand jury, although they had a right to petition. The lack of sympathy of the prosecuting attorney could affect the process of justice. If the right of the court to appoint Mr. Dwyer was sustained, he succeeded to all of the rights and acts of the elected county attorney in prosecuting the cases before the grand jury. Mr. Thompson also stated that the defendants had offered only conclusions in their charges of the jury having been influenced by the attorney and that the indictments were voted upon by the jury with everyone else excluded from the sessions.

In his decision at the close of the offering of Mr. Thompson, Judge Button gave as his opinion that the power to appoint under certain circumstances rested in the judge of the district court. Certain facts were before Judge Begley at the time of the appointment. A petition of the taxpayers of the county had been submitted to the court, the county attorney had refused to call a jury and had made efforts to interfere with the calling of the grand jury—Mr. Dwyer had taken oath as the special prosecutor and the grand jury had also been under oath. On the statement of the defendant counsel that witnesses were to swear that the jury had been influenced, the court stated that as

the jury was sworn to secrecy their final deliberations held by themselves alone no witness or county attorney being present, there was no reason to presume that they had been influenced and had acted otherwise than they should have done under oath.

Following the overruling of the motion of the defendants in the case they were allowed exceptions and leave to file objections to the continuance of Mr. Dwyer at the jury trials of the cases. The court was then handed over to Judge Begley the presiding district judge, who heard the pleas of the various defendants.

The indictments and charges were read by Mr. Dwyer to the various defendants and to which they all entered pleas of not guilty. The first case assigned to trial was that of Sheriff C. D. Quinton which was set for Monday morning, December 10, at 10 o'clock.

The state will be assisted in the handling of the cases before the jury by Judge R. W. Patrick of Papillion who will have active management of the cases with the assistance of Mr. Dwyer.

The trials of the other defendants were set as follows: Julia Kaufman, December 12; Alvin Jones, December 13; Fred A. Holmes, December 17; William Grebe, December 18; C. C. Parmele, December 24; Carl G. Fricke, December 28.

CHRISTMAS SHOP AND BAZAAR IS A SUCCESS

Modern Woodmen Hall Scene of the Annual Shop of St. Mary's and St. Luke's Guilds.

From Thursday's Daily— The St. Mary's and St. Luke's guilds of the Episcopal church held their annual Christmas shop yesterday at the M. W. A. hall and the occasion was one of the most successful that the societies have held in the recent years and the hall to the eye was the scene of the greatest beauty.

The ladies had made special efforts on their decorative plans and throughout the hall there was displayed the bright colors and the gaiety of the approaching Christmas season was in evidence all during the day and in the evening. The greens and streamers of the Yuletide made the scene of the greatest beauty and in front of each window was displayed the richly decorated Christmas trees with their tinsel and lights that added to the charm of the occasion.

Each of the booths where there were for sale different articles were also arranged very prettily and the many pretty articles were ready for the inspection of the visitors to the shop.

During the noon hour and in the evening the ladies served dinner and the hall was filled with those who took advantage of the occasion to enjoy a real treat in a meal. Mrs. I. E. Donnelly, of Omaha, presided at the coffee urn, and served the coffee for which she is justly famous. During the noon hour the orchestra composed of Evelyn Robb, Martha Gorder and Violette Begley played very charmingly as well as at the evening hour. Master James Begley also gave several very fine vocal numbers.

One of the features of the attractions at the shop was the "side show" conducted by the St. Catherine's chapter of the Church School Service League and which was participated in by Jane Dunbar, Lorine Windham, Laura Grassman, Ruth Smith, Nancy Ralston, May Eschenberger, Anna May McMaken and Minnie Kearns.

Later in the evening the Holly orchestra furnished the music for the dancing which was very pleasing to the members of the party.

The ladies of the guilds headed by Mrs. P. H. Dunbar as president, worked very hard on the success of the occasion and they are certainly deserving of a great deal of credit for the fine showing.

MOVING INTO TOWN

From Friday's Daily— Yesterday afternoon the sale of the farm equipment and stock on the John Meisinger, Jr., farm was held at the farm west of the city and attended by a very pleasing crowd of farmers interested in the purchasing of the stock and machinery offered by the owner. Rex Young, the best known auctioneer in the state, was in the job and handled the sale in his usual able manner. Mr. and Mrs. Meisinger and family are planning to move to Plattsmouth in the very near future and have secured the residence property of Mrs. A. B. Taylor at 11th and Marble street for their residence.

WILL ATTEND TAX HEARING

From Friday's Daily— This morning County Assessor William Rummell and County Attorney A. G. Cole departed for Lincoln, where they were called to appear before the referee in bankruptcy in the case of the Sheldon Manufacturing company, of Nehawka. The county officers are appearing in the case on behalf of the county regarding the taxes levied against the firm and which it is sought to reduce in the court of the referee.

FORMER PLATTS-MOUTH LADY IS FOUND DEAD

Mrs. Jack Pearce of Lincoln Found Dead in Kitchen at Her Home Last Evening by Husband.

From Friday's Daily— The old friends here of Mr. and Mrs. Jack Pearce former residents of this city, were shocked last night to learn of the death of Mrs. Pearce which occurred sometime yesterday afternoon and whose lifeless body was found when the husband came home from his work shortly after 6 o'clock Thursday evening.

Mr. Pearce, who is a department manager of the firm of Rudge & Gunzel, had returned to his home at 127 South 25th street, shortly after 6 o'clock and on entering the kitchen was startled to find the body of the wife lying on the floor, her head resting on a small pillow. The gas range was turned on the gas was pouring into the room and her death had been from asphyxiation, physicians who were called stated.

The deceased lady had been in very poor health for the past two months and was fifty-five years of age.

To mourn her death there remain the husband and two sons, Sidney and Douglas, who resides in Lincoln. The Pearce family were residents here for a great many years. Mr. Pearce being with the firm of E. G. Dovey & Son for a long time and up to the time that the family moved to Lincoln where he was later employed. The tragic death of Mrs. Pearce will bring a deep sense of regret to the old friends and neighbors here and the family will have the deep sympathy of the friends in their hour of sorrow.

DE MOLAY CHAPTER HAS FINE MEETING

Judge Cochran Class is Initiated at Meeting Which is Followed by a Feed in Banquet Hall.

From Friday's Daily— Last evening Cass Chapter, Order of DeMolay, held one of its most largely attended meetings of the fall in the lodge rooms and at which time the Judge Alexander G. Cochran class, named in honor of the grand master counselor of the order, was received into Cass chapter.

The class was composed of Joe Buttery, Fred Howland, Everett Parriott, Walter R. Johnson, Carl Graves and Roy Olson and the young men received both the initiatory and DeMolay degrees, the local officers conferring the obligations on the candidates.

Following the ritualistic work the members of the chapter enjoyed a number of pleasing addresses by "Dad" Myers, adviser of the Omaha chapter; Master Councilor Olson of the Omaha chapter; and the Rev. F. E. Pfoutz of this city. Rev. Pfoutz spoke of the virtues that were a part of the ritualistic work of the chapter and the benefit of the right living and right thinking of the youth of the modern day and age.

Following the session of the chapter the members and guests were invited to partake of a very fine luncheon which had been prepared by the committee and which was one that served to complete the enjoyment of the evening.

The Omaha visitors while here arranged for a game with the DeMolay basketball team to be played here as soon in the future as possible.

RAIL BUSINESS SLACKING UP, IS THE REPORT

From Thursday's Daily— The men employed in the railroad service and especially on the Burlington lines in the west have been receiving a shake-up in the last few days that has resulted in many of the younger men in the train service being placed temporarily out of employment, due to it is stated to a slack period in the freight business and the older members of the train service employees are being transferred over the different lines and many given reductions that cause the younger men in the service to be dropped temporarily. Many of those who have been acting as conductors have been assigned to brakemen positions and the whole service has been greatly changed in the last few days.

STILL READS THE JOURNAL

Michael Hoffart, one of the well known residents of Knox county, Nebraska, and also at one time a resident of Cass county, writes the Journal advancing his subscription to the semi-weekly edition for another year. Mr. Hoffart left Cass county thirty years ago and has been one of the leading farmers in the northern portion of Nebraska since that time. He is the owner of the well known "Pioneer Farm," near Osmond. Despite his removal years ago from this county, he still has a warm place in his heart for the old friends in this locality.

OLD RESIDENTS HERE

From Thursday's Daily— Mrs. Isreal Pearlman, of Omaha, a long time resident of Plattsmouth, was here a few hours Wednesday afternoon with the old time friends and was accompanied by her sons, I. Pearlman, Jr., and Will. The family enjoyed very much their visit here with the old time friends. Mr. I. Pearlman, Jr., is here from his home in the west as he is now located in Portland, Oregon, where he has charge of a fine confectionery store and came home to spend the holiday season with the mother in Omaha. Mr. Pearlman reports his wife and little son as doing nicely and the whole family enjoying life in the west very much.

CITIZENS FAVOR THE OIL DRILLING PROPOSITION

Chamber of Commerce Desires to See Test Made in County— Speedy Action is Needed.

From Friday's Daily— The Journal regrets to report there now appears to be but a slim chance, if any, to have a number of deep test wells sunk in Cass county for oil and gas. This is generally deeply regretted as geologically the evidence is very favorable that possibly petroleum and natural gas exists underneath a portion of the county in vast quantities. Learning that Geo. L. Kerr, the oil representative who has been here for several weeks, has been instructed by his corporation to drop the matter and come east, is about to leave town, the Journal reporter interviewed him at the Main hotel this morning. Mr. Kerr said he had done everything within his power to make a success of his efforts here and regretted the prospect of his efforts meeting with failure. He said his company had stood willing and ready to order shipped into Murray at once a complete standard rig drilling outfit as soon as the desired block of land had been leased. He has stood ready and willing to give any reasonable monetary guarantee that the work would be started and completed with due diligence as soon as the leases were executed and delivered to himself or the bank in which many of the contracts have been placed in escrow.

With the exception of a few farms the desired block has been leased or promised. The owners of these few unleased or unpromised farms, for reasons unknown to Mr. Kerr, so far have been unable to see the wisdom of joining with the big majority of land owners and putting their land in so the drilling can start.

At the solicitation of several influential citizens, Mr. Kerr has agreed to use his influence with the officials of his company to keep the proposition upon long enough to permit the Chamber of Commerce to take the matter up with a view of giving them an opportunity to see if they cannot find a way to induce the owners, whose land is still unleased or unpromised to come in with their neighbors so the important tests can be speedily undertaken. Mr. Kerr expects to have a conference with officials of his company son after leaving Plattsmouth when he will wire here either to have the banks return all leases to land owners or else grant a little more time to see what if anything can be done by the board.

During his stay here Mr. Kerr has made many friends throughout the county. He expresses himself as greatly pleased with the country and its people and says he greatly regrets not being able to remain here at least long enough to supervise the completion of a number of deep test wells on territory as promising as this appears to be. He fears, however, that the company has almost reached the limit of its patience.

MANY HEAR COOLIDGE'S ADDRESS TO CONGRESS

From Thursday's Daily— For the first time in history, the address of a president to congress has been broadcast. Local radio owners who are want to "tune in" at noon for the markets, weather report, etc., were surprised to hear clear and distinct the voice of our president as he addressed the joint session of congress at the capitol in Washington. Even the applause of the senators and representatives at portions of the president's speech was broadcast clear and distinct, and although he declared against entangling foreign alliances and was loudly cheered at this, the voice of Senator Hiram W. Johnson could not be distinguished at any time. The address as received here came from the Kansas City Star station, being relayed by wire to Kansas City, as well as other large broadcasting stations over the country, and then sent out into the ether to be heard by millions of listeners. This is truly an age of progress.

FLOWERS for all occasions. Potted plants. Display at Mumm's Bakery. Phone 405-W.—Henry Jasper.

CELEBRATE 50TH WEDDING ANNIVERSARY AT ELMWOOD

Mr. and Mrs. James Gamble, Pioneer Elmwood Residents, Observe Event Last Sunday.

From Friday's Daily— Mr. and Mrs. James Gamble have passed the fiftieth year of their wedded life. They were married in the state of Ohio fifty years ago and after spending a few years there they moved to Nebraska in the year 1879 buying the farm where they now live and where they have lived since coming to the state.

Their marriage took place at Kansas, Ohio, Dec. 2nd, 1873. They are 76 and 70 years of age, respectively. To this worthy couple have been born eight children, five of whom are now living. Mr. and Mrs. Gamble are among our most substantial and highly respected farm folks.

Sunday, December 2nd, 1923, witnessed a most enjoyable time at the Gamble home as the children and grandchildren numbering 47 gathered to help them celebrate this occasion. The day was happily spent and all had a most enjoyable time. It was a day that will long be remembered by all present.

Mr. and Mrs. Gamble are hale and hearty and come to town on an average of twice a week. It is interesting to hear Mr. Gamble tell of the early days in Ohio and of their courtship and marriage.

Here is hoping that they may see many more happy wedding anniversaries. They have seven great grandchildren.—Elmwood Leader-Echo.

PHILATHEA CLASS HAS VERY PLEASING TIME

Ladies Class of the Methodist Sunday School Entertained at Parsonage Last Night

From Friday's Daily— Last evening following the meeting of the Sunday school board at the Methodist church the members of the Philathea class of the school were most delightfully entertained at the parsonage by Messames F. R. Cochran and J. E. Wiles and the occasion was one that will long be very pleasantly remembered by the ladies who were in attendance.

As a special feature of the occasion Attorney A. H. Duxbury was invited to be present and give the ladies an insight into the workings of the judicial system of the country. Following the marriage the bridal party returned to this city and expect to make their home in the future on the farm of the groom's father west of this city.

The bride has made her home in Plattsmouth since she was twelve years of age and is the daughter of Mr. and Mrs. George Decker, and a young lady held in the highest esteem by a very large circle of warm friends. The groom is a son of Mr. George Stander and well known here in his lifetime home, and is one of the progressive young farmers of the community.

OUT AFTER JURORS

From Saturday's Daily— This morning County Clerk Geo. R. Syles was out in the county seeking jurors to fill up the vacancies on the petit jury panel made vacant by those excused by Judge Begley since the jury panel was first drawn. Mr. Syles is acting as the officer serving the calling of the jury as Sheriff Quinton is to be tried by the panel on charges made by the grand jury.

IS SOME CHICKEN MARKET

From Friday's Daily— The fact that Plattsmouth was some "chicken" market has long been conceded by those who are wise on this line of poultry, but the city as a shipping point for the real feathered varieties of chickens has been coming into its own in the last few months and the farmers for many miles around are hauling their fowls here for shipment as the prices are very good and the facilities for shipping better than can be found at any of the towns nearby. On Wednesday the Keeney Poultry company shipped from this city 10,000 pounds of poultry to their shipping center at Clarinda, Iowa, and they are well pleased with the excellent quality of the poultry secured.

CELEBRATES BIRTHDAY

From Thursday's Daily— The home of Mr. and Mrs. John Wiles was the scene of a very delightful gathering on Sunday when the members of the family and a few of the close friends came in to assist Mr. Wiles in the observance of his sixty-ninth anniversary.

The ladies of the party came with well filled baskets and which added to the delights of the occasion in a very fine repast to which all did ample justice. The event had been arranged by Mr. and Mrs. N. R. Wiles and was a great success in every way and one that the guest of honor will long very pleasantly remember.

Those attending were Mr. and Mrs. N. R. Wiles, Plattsmouth; Mr. and Mrs. Will Wiles and daughters, Fourth and Wima, of Cedar Creek; Mr. and Mrs. Johnny Wiles and son Richard, of Plattsmouth; Mr. and Mrs. Garland Tilson and sons, John and Robert, of Murray; Mr. and Mrs. John Wiles, Plattsmouth; Everett Wiles, John and Herbert Beckman, Plattsmouth; Mr. and Mrs. Floyd Wood and sons, Joseph and Clarence, of Union; Jacob Exline, Union; Mr. and Mrs. Joe Wood and daughter, Florence, of Union; Walter Wood, of Plattsmouth; John Wood, Plattsmouth.

WELL KNOWN YOUNG PEOPLE ARE WEDDED

Mr. Maurice Stander and Miss Florence Decker Joined in Wedding at Council Bluffs

From Thursday's Daily— Yesterday at Council Bluffs occurred the marriage of two of the well known young people of this community, Miss Florence Decker and Mr. Maurice Stander in Council Bluffs, Iowa.

The wedding was very quiet, the young people motoring to the Iowa city in company with the parents of the bride and were joined in wedlock at the office of the justice of the peace, the ring ceremony being used in joining the lives of the two young people.

The bride was gowned in an attractive suit of dark brown canton crepe and wore a unique pin, an heirloom of the Rouse family, of which her mother was a member, this being the only jewel worn by the bride. Following the marriage the bridal party returned to this city and expect to make their home in the future on the farm of the groom's father west of this city.

The bride has made her home in Plattsmouth since she was twelve years of age and is the daughter of Mr. and Mrs. George Decker, and a young lady held in the highest esteem by a very large circle of warm friends. The groom is a son of Mr. George Stander and well known here in his lifetime home, and is one of the progressive young farmers of the community.

IN SERIOUS CONDITION

From Thursday's Daily— R. L. Propst of this city who has been at Omaha for the past few days, returned home yesterday afternoon and reports that his old friend, Lefe Gilmore, is in a very critical condition at his home on South 40th street in Omaha, as the result of an attack of heart trouble and from which the patient has been suffering for some time and has gradually grown so serious that only the immediate members of the family are allowed to visit him.

Mr. Gilmore has at different times resided in Plattsmouth since his boyhood days and is well known here by many old friends who will greatly regret to learn of his condition at this time. He was bookkeeper for the L. C. Sharp company here up to the time of their closing down a year ago.

CHRISTMAS ACTIVITIES ARE NOW AT HAND

LOCAL STORES TAKING ON HOLIDAY APPEARANCE— EXPECT MUCH TRADE

STOCKS READY FOR SHOPPERS

Interior of the Stores Being Decorated and Made Attractive for Coming Gala Season.

From Friday's Daily— To the visitor in the stores of Plattsmouth the fact that the Christmas season is now near at hand is brought to mind in the large and attractive stocks of goods that are particularly adapted to this season and which are being placed on display and the interior of the various places of business are being arranged with the bright decorations of the season this year bids fair to exceed that of the last year with the reassuring signs of the return of prosperity to the western country.

There is no more gladness season of the year than that when the average man and woman lay aside their more selfish interests to plan what they are going to do in the way of gifts and remembrances for those whom they love and number in their circles of friendship, and from the spirit of giving they derive a refreshing touch of unselfishness that brings on the real Christmas spirit in the fullest sense of the word.

Certainly the seeker after some remembrance to their family or friends could do no better than seeking their gifts in the Plattsmouth stores where the stocks are full to overflowing and of a very high quality of charm and beauty and as choice as could be found in any store in the broad confines of the state. It is a real treat to visit the stores and look over the stocks and from these the shopper can find their needs amply covered.

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