

New Senator Sworn



George L. Berry

Tennessee formally acquired a new United States senator when George L. Berry, who has been serving as co-ordinator for the New Deal industrial organization program, was sworn into office, succeeding the late Nathan L. Bachman.

AAA Taxes Held by Court to be Legally Levied

Treasury Hails Supreme Court Decision as a Victory—Single Dissenting Opinion.

Washington.—The supreme court stamped its approval upon a new real law which treasury officials said would permit the government to retain all but a fraction of the \$963,000,000 it collected in taxes under the old invalidated AAA. The court, with only Justice McReynolds dissenting, upheld provision of the 1936 revenue act restricting refunds and collections under the invalidated processing and floor taxes. In order to obtain refunds under the act, taxpayers must prove they paid the levies themselves and that the taxes were not passed on to consumers or others.

Treasury officials said the decision definitely absolved the government of responsibility for any claims except those meeting the strict requirements. The ruling did not affect validity of the "windfall" tax on processors who either avoided payment of the AAA levies or who, after passing the levies on, obtained refunds before congress imposed restrictions. The "windfall" tax has been challenged in several court actions, and thus far has provided only about \$2,000,000 of \$82,000,000, forecast officially for this fiscal year.

Officials said the day's decision would have no effect on existing budget estimates, because the internal revenue bureau had been proceeding on the theory that the refunding restrictions were valid. Had the decision gone the other way, however, it would have meant a heavy drain on the treasury and carried the budget deeper into the red.

Claims Made for Refund.

Several thousand claims for refunds already have been filed under the newly validated law. These are being reviewed by the internal revenue bureau, but none has been approved formally. Officials said congress has provided no appropriation to meet refunds. They expressed confidence, however, this would be done when the approximate amount necessary has been determined. Claims must be filed by June 30.

Delivering the court's majority opinion, Chief Justice Hughes said that a taxpayer "was undoubtedly hurt when he paid the tax." But he added: "If he has obtained relief thru the shifting of its burden, he is no longer in a position to claim an actual injury, and the refusal of a refund in such a case cannot be regarded as a denial of constitutional rights." Hughes said procedure prescribed for collecting refunds "provides for a full and fair hearing and determination of all matters of fact" and for "the protection of all legal rights."

McReynolds, who dissented, wrote no opinion. Under the law, appeals from refund rulings of the internal revenue commissioner can be taken only to a treasury department review board. From the board, however, cases can be carried to federal circuit courts and the supreme court.

The high court's ruling came on a suit by the Anniston Manufacturing company of Alabama, which sought recovery of \$269,854 paid in AAA taxes.

DIES AT MURDOCK

Henry Bargmann, 73, one of the long time residents of Murdock and vicinity, died Wednesday night at the home to his daughter, Mrs. Arthur Ward, with whom he has been making his home for the past few years.

Mr. Bargmann has not been in the best of health for some time and has gradually been falling from the infirmities of his advanced years.

The deceased was born in Hanover, Germany, December 8, 1864, but has spent the greater part of his lifetime in this country.

He is survived by his daughter, Mrs. Ward and several grandchildren.

The definite funeral arrangements have not been made but it is expected that it will be either Saturday or Sunday afternoon at the Callahan church near Murdock and interment at the Callahan cemetery where the wife is buried.

The Horton funeral home of this city will be in charge of the funeral.

IN SERIOUS CONDITION

Mrs. Wade Porter is very ill at her home in this city and her condition has been much worse in the last few days. Her condition has brought a great deal of apprehension to the members of the family.

Their Children Held in Murder



L. W. Brockelhurst Abraham Felton

Stricken with grief over the fate of their children, L. W. Brockelhurst, left, and Abraham Felton, right, both of Rockford, Ill., discuss plans for their defense. The two youngsters were arrested in Brewster, N. Y., after a sensational "crime honeymoon" during which young Brockelhurst committed 27 robberies and three murders, according to police.

Court Battle is to Go on in Face of a Retirement

But Resignation of Justice Van Devanter Casts New Uncertainties; Bill Defeat Recommended.

Washington.—Associate Justice Willis Van Devanter announced his retirement from the supreme court, breaking the solid alignment of four conservative judges who have voted repeatedly to declare new deal laws unconstitutional.

His action cast new uncertainties into the tense and close senate battle over the administration court reorganization bill and enabled President Roosevelt to make his first appointment to the tribunal with which he has waged a two year conflict. While Washington excitedly speculated over the possible consequences, that bill received its first major reverse. The senate judiciary committee, rejecting all amendments in quick succession, voted, 10 to 8, to recommend that it be debated by the senate.

With leading opponents of the bill demanding that the president now withdraw the hotly contested measure, the capital looked to the white house for the next turn in the controversy, generally expecting that the answer would be an emphatic "no."

Opinions on the effect of the 78 year old Van Devanter's withdrawal were almost as numerous as those who expressed them. Significantly, however, there came from a little group of leaders on both sides predictions that the battle would continue with little if any change.

Still Talk of Compromise.

And yet a compromise was in the air. Administration supporters in the committee, including Chairman Ashurst, voted vainly for a compromise proposed by Senator Logan (d., Ky.). Logan said later his proposal had the approval of Senator Robinson of Arkansas, the majority leader.

The Logan amendment would authorize a new appointment to the supreme court each year so long as the court included an incumbent justice of more than 75 years, and the number of justices was less than 15.

CARD OF THANKS

We wish to thank most sincerely all of our dear friends and neighbors for their many kind acts and words of kindness in the passing of our dear Emil. And we wish to thank those who sent the beautiful flowers and those taking part in the funeral service.—Mr. and Mrs. John Hobscheidt and Family.

VISIT AT ST. EDWARD

Mr. and Mrs. H. A. Schneider were over Sunday visitors at St. Edward, Nebraska, at the home of Mr. and Mrs. Eugene Burdic and family, enjoying a very pleasant outing.

If you are having head colds with congested ear tubes and sinuses, Chiropractic is a good method to help nature correct them. We are having splendid success.

Dr. Joe J. Stibal
Chiropractor
Phone No. 3 Res. 657-W

LIBRARY HAS BOOKS FOR THE PAY SHELF

A new group of books have been added to the pay shelf at the public library this month. Many historical novels are among the group.

Aaron Burr by Holmes Alexander is historical. An addition to the pioneer books is "Sons Go Down," by Flammery Lewis. "Buckskin Breaches" also follows the pioneer theme. Phil Strong is the author.

"None Shall Look Back" by Caroline Gordon is a story of the Civil War. It has been compared in reviews to "Gone With the Wind."

"Jungle Woman" by Yeager and Laiter, is a story of Australia. The new nature book by Weldemer Schmidtman is "Devil." Sean O'Faolain contributes a romance, "Bird Alone."

Among the new books which are not on the pay shelf are: "Emily Untamed" by Helen R. Marlin, a story of the Pennsylvania Dutch; two westerns, "Kingdom in the Cactus" by Charles Seltzer and "Forbidden River" by Harold Bindlers; and a romance, "True With Life" by Louise Hauck.

"A Handbook of National Defense and Peace" has also been purchased by the library at the request of the D.A.R. T. H. Healy is the author.

TO ATTEND INVESTITURE

From Wednesday's Daily.—Rt. Rev. Monsignor George Agtus, pastor of the St. John's church of this city, departed this afternoon for Utica, Nebraska, where he will be the guest of friends for the night and then go on to Wahoo. He will attend the investiture of Father Nemeo on Thursday with the rank of monsignori, the last of the recently created monsignori of the Lincoln diocese.

POPPY SALE

Plattsmouth's Legion Auxiliary is sponsoring a poppy sale in this city on Saturday. The Boy Scouts have the north side of town and the Girl Scouts are taking the south side.

The poppies are made by dependent veterans and sold through the auxiliaries of the state. 210,860 are ready for distribution. They have been made by men from every community in the state.

EIGHT MILE GROVE LUTHERAN CHURCH

9:30 a. m. Sunday school. There will be no church service as the pastor is at synod at Grand Island.

Wednesday, May 26

The ladies aid will meet at the church parlors in the afternoon. The hostesses will be Mesdames George Stoehr and Clarence Meisinger.

WILL ATTEND SCHOOL

Miss Eleanor O'Brien of the local exchange of the Lincoln Telephone & Telegraph Co., departed Saturday for Lincoln where she will spend the next two weeks. Miss O'Brien is to attend a school for supervisors which is being held by the telephone company for their employes at various exchanges over the South Nebraska territory.

TO HONOR HENRY FORD

Detroit.—The nation's mechanical engineers will pay tribute to Henry Ford here next week at the semi-annual meeting of the American Society of Mechanical Engineers. The motor magnate will receive the Holley medal, high award of the society, "for revolutionary influence thru invention and practice of transportation and on mass production methods in manufacturing."

LOSES SEED CORN

E. H. Boyles, prominent resident of the Elmwood community, reports the loss of two bushel of seed corn that was taken from his place sometime Sunday night and so far has not been traced down. Mr. Boyles lacked a little of completing his corn planting and had purchased the two bushels for \$5.50, and the loss of the corn made necessary scouring the countryside for more corn. He was able to secure two more bushel from one of the farmers near Alvo to complete his planting.

RECEIVES FINE APPOINTMENT

Louis Knoefleek, a freshman at the University of Nebraska, has just received an appointment to the plant research department of the state agricultural college for the summer. He will be located in Scottsbluff this summer. In the fall his work will be on the campus so that he will be able to continue his course at the university. This is a very fine appointment for Louis, specially in view of the fact that he is only a freshman.

SOCIAL WORKERS FLOWER CLUB

The Social Workers Flower club held their meeting at the home of Helen Johnson. Mrs. George Mumm had charge of the program which the visitors and members enjoyed.

A very delicious two-course luncheon was served. The assistant hostesses were Mrs. Phil Leipert and Mrs. Jim Leipert.

VISIT MRS. SPANGLER

From Wednesday's Daily.—Mr. and Mrs. Jean Spangler drove to Omaha last evening when they visited Jean's mother, Mrs. E. H. Spangler. Mrs. Spangler had an operation for acute appendicitis at midnight Saturday. She is getting along quite nicely and was able to sit up a little while yesterday.

CARD OF THANKS

I wish to take this means of thanking the members of the Plattsmouth fire department for their fine services and saving my property from destruction.

J. W. HOLMES.

DANCE AT MURRAY

Saturday evening, May 22nd. Music by Lancaster orchestra, Earl Lancaster, manager. Admission, 45c.

PICNIC FOODS

IGA
Rich, Creamy
SALAD DRESSING
JAR QT. **35c**

Hunt's Supreme Whole
Apricots
No. 2 1/2 Can. **17c**

Corn Flakes Miller's Large Size 2 for 19c	Soda Crackers 2-lb. Caddy 19c	Santa Clara Prunes 80-90 4 lbs. 25c
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Shurfine or IGA Assorted JELL 19c 4 for	Hallowii Dates 2 lbs. 17c	Casco Butter Solids Lb. 32c
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Oxydol or Rinso, large pkg. **21c**
 Scotch Peas, 4 lbs. for. **25c**
 Cracked Rice, 5 lbs. for. **25c**
 Corn or Gloss Starch, 2 for. **15c**

HUNT'S SUPREME or DEL MONTE Peaches No. 2 1/2 Can. 18c 2 for 35c	CAMPBELL'S Tomato Soup 2 Cans for. 15c
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Mustard, full quart jar. **12c**
 Smith Kraut, No. 2 1/2 can. **11c**
 Olives, full quart jar. **39c**
 Muffets, each. **10c**

Hunt's Supreme Pears No. 2 1/2 Tins, 2 for. 39c	Standard Pack Tomatoes No. 2 Cans. 3 for 25c
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Carey Salt, 2 tubes for. **15c**
 Libby's Pork and Beans, 2 cans for. **15c**
 Van Camp's Pork and Beans, large can. **10c**

Whole Grain, Golden Bantam or Early Crosby Corn No. 2 Cans. 2 for 29c	RED ROSE Oleomargarine IGA Brand 2 lbs. for. 35c
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Crisco, 3-lb. tin. **59c**
 Preserves, 4-lb. jar. **49c**
 Jelly, 2 1/2-lb. jar. **25c**

Del Monte Red Salmon 1-lb. Tins, each. 22c	Krispy Crackers 2-lb. Caddy, 32c 1-lb. Caddy. 17c
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Fruits and Vegetables

NEW POTATOES, 10 lbs. for. 39c
Triumphs and Whites

BANANAS, firm, yellow ripe, 3 lbs. 19c
CAULIFLOWER, per lb. 10c
ASPARAGUS, per bunch. 5c
CARROTS, per bunch. 5c
PINEAPPLE, large Cubans, each. 15c
GRAPE FRUIT, 4 for. 25c
ORANGES, Texas Juice, large size, doz. 45c
GREEN BEANS, fancy quality, lb. 15c

Meat Department
WHERE QUALITY PREVAILS

Clix Refined Lard, 2 lbs. 29c
The Perfect Shortening

Long Horn Cheese, lb. 20c
Full Cream

Shoulder Beef Roast, lb. 20c
Corn Fed

Shoulder Beef Steak, lb. 22c
Corn Fed

Dolds Sterling Bacon, lb. 32c
1-lb. Layers—Lean

Glazer's Weiners, 2 lbs. for. 45c
Skinless—Delicious

Calf Hearts, lb. 12 1/2c
Hog Brains or Pork Liver. 12 1/2c

Black & White
WE DELIVER—PHONE 42

Running Wild



Gerald Walker

Sensation of the season thus far for the way he has been hitting, Gerald Walker, slugger outfielder of the Detroit Tigers, has been clearing the 600 home runs with abundance of momentum for most of the Tiger attack.

Leads for Title



Eleanor Norris

Leader in the race for the coveted title of "Miss Miami of 1937" is this striking brunet, Eleanor Norris, one of the more comely residents of the Florida resort.

PICNIC AT LAKE PARK
ANNUAL OPENING DAY
FREE GATE MAY 23d.
After the Above Date the Admission Charge will be 15c

More picnic ground has been cleared, including an island in the Platte river. New diving tower with standard diving boards; bath house remodeled, with dressing rooms free to the public. New decorations in the cafe, where cold drinks and refreshments, including fancy Steaks and Fried Chicken are on the menu! Don't miss the new road which winds around the edge of the lake for a scenic drive. LAKE PARK is located Seven Miles West of Louisville on Graveled Road One Mile North of South Bend, Nebr.

Boating, Swimming, Fishing, Picnicing