

# THE FRONTIER

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## 'BLANKET TAX' CONSTITUTIONAL

### Judge Mounts Upholds 1949 Law in Peterson Test Case

District Judge D. R. Mounts, of O'Neill, Monday held the blanket 4-mill tax levy law affecting school districts is constitutional. He made the ruling in a suit brought by Charley W. Peterson, extensive Holt county landowner, seeking to prevent Holt County Treasurer J. Ed Hancock from collecting the tax against Peterson's properties in school district 231, which amounted to \$943.98.

Judge Mounts heard arguments on the action November 7 and handed down his ruling dismissing Peterson's action.

A motion for a new trial was filed Wednesday. Mounts overruled the application and the matter will promptly go to the supreme court.

Peterson sought to test the 1949 law on the grounds that district 231, in which his ranch home is located, will not participate in distribution of the tax money because there were less than 5 pupils enrolled during the 1950-1951 school year. He held it in effect taxation without representation.

He contended the tax is not levied uniformly and proportionately and is gross discrimination against him as plaintiff and others similarly situated, in favor of taxpayers in districts where there are more pupils.

He held that since there was no school operating in the district there were no expenditures for which tax money was required.

There are 35 such districts, with less than 5 pupils in the county.

He said that the law provides for a tax levy without a provision for the needs of the district. He said the title of the law does not disclose that elementary districts with fewer than 5 pupils would not share in the distribution of the funds.

Peterson said that the Nebraska law specifically requires that a tax be levied in each district to maintain the school in the district that year.

Julius D. Cronin, of O'Neill, and Daniel Stubbs, of Lincoln, are attorneys for the plaintiff. Holt County Attorney William W. Griffin and the attorney-general are defending Hancock, the nominal defendant in the case.

## Atkinson Burial for Former Resident

ATKINSON—Mrs. Mary Doyle, 68, former Atkinson resident, was discovered dead in bed at her home in Chicago, Ill. The body was found by a cousin, who had gone to call on Mrs. Doyle, who lived alone.

The remains reached Atkinson early Tuesday and funeral services were conducted Wednesday, December 19, at St. Joseph's Catholic church. Burial was in St. Joseph's cemetery. Rev. R. J. Parr officiated. Pallbearers were Alex Cleary, Fred Mack, Patrick Corrigan, William Morgan, Joseph Judge and Nick Schmit.

Mrs. Doyle's husband died about 3 months ago. There were no children.

Survivors include: Brothers—John Slachetka, of Newport; Stephen Slachetka, of Omaha; Frank Slachetka, of Omaha; and Leo Slachetka, of Newport; sisters—Mrs. Josie Maring and Miss Stella Slachetka, both of Atkinson; nephew—Francis Moore, of Fremont.

Her brother, Stephen, went to Chicago to accompany the body to Atkinson.

## Schools Await Holiday Recess

The O'Neill schools—the public and St. Mary's academy—will dismiss classes early Friday afternoon for the annual yule vacation. Classes at the public school will be resumed on Wednesday, January 2, and at the academy on Monday, January 7.

Because of storm warnings several boarding students living a distance away were dismissed from the academy early Wednesday.

## Group Sends Yule Greetings To Men in Service

PAGE—Members of the Methodist Youth Fellowship have sent Christmas cards to men from Page now serving in the armed forces. They include: Cpl. Jack Hartman, Cpl. William Hartman, Cpl. Ernest Graves, Pvt. Gary E. Baha, Pfc. James H. Parks, Sterling Albright, FA; Melvin Albright, RMM2; Lt. D. M. Stewart, Pfc. Merwyn French, Cpl. Donald Nasland, Pfc. Elwin Haynes, Pfc. Arnott Buxton, Cpl. Dale Braddock, Pvt. Donald Prill, Pvt. Sidney Frahm and Cpl. Errol Held.

## Receiving Entries in Decoration Contest

The Chamber of Commerce is receiving new entries daily in the annual home yule decoration contest. First and second prizes will be awarded by judges on decorations on the north and south sides of the city, divided by Douglas street. Entries should be filed with Secretary James W. Rooney, phone 42.

## 'Ave Maria' Sung from Scaffolds

Gounod's "Ave Maria" as sung from the choir loft is familiar to St. Patrick's Catholic church parishioners.

Very Rev. Timothy O'Sullivan, church pastor, was somewhat surprised Tuesday when he entered and heard a rich tenor voice filling the church with the strains.

A 50-year-old German-born artist, Wolfgang Wittich, was in a precarious position on a high scaffolding busily redecorating the church interior, his brushes working to the accompaniment of his own music.

Wittich, a member of the Eagle Studios art firm specializing in church decorations, was born in Germany, studied music and art there, and came to the U.S. about 25 years ago.

He is a substitute on the O'Neill job. The original artist contracted virus pneumonia and could not take on the project. Both are Chicagoans.

The art is done freehand and includes work on the altar, ceiling and stations of the cross.

The pews this week are being revarnished.

The painting is a part of an extensive redecoration and improvement plan at the church, according to Father O'Sullivan.

## CHESTER FEES, SR., DIES SUDDENLY

### Funeral Services Tuesday for Veteran Chambers Garageman

CHAMBERS—Funeral services for Chester Fees, sr., 54, Chambers garageman who died suddenly last Thursday, December 13, at his home were held on Tuesday, December 18, at 2:30 p.m., at the Memorial Baptist church in Chambers. Rev. Lawrence McElheran, church pastor, officiated. Burial was in the Chambers cemetery.

The pallbearers were Wm. Reninger, Kenneth Werner, Thomas Newhouse, Herman Hubbard, Darrell Gillette and George Thompson.

The body was taken to Biglin Bros., in O'Neill and was removed at 10 a.m. to the Fees home in Chambers the day of the funeral.

The late Mr. Fees was born March 8, 1897 at David City. He came to Holt county in 1922.

He was married to Myrtle Gordon at Plainview, Tex., on September 18, 1920, and they became the parents of 3 children.

Survivors include: Widow; daughter, Mrs. Albert Farrier, of Compton, Calif.; sons—Richard, of Chambers, and Chester, jr., also of Chambers; brothers—Alvin Fees, of Vallejo, Calif., and Robert Fees, of Lincoln; sister—Mrs. Wm. Workman, of Lincoln. There are 2 grandchildren.

The late Mr. Fees was a veteran of World War I and a member of the American Legion.

## More Off-Campus Studies Planned

"We are trying to arrange for 2d semester off-campus courses," explained the Holt county superintendent of public instruction, Miss Alice French, this week.

At the last meeting of the primary activities class the following seemed to be the most desired subjects: Children's literature, geography of South America, and teaching arithmetic. "Please contact the office if you are interested in any of these classes," Miss French explained.

"Since we are all busy with Christmas preparations, my office will close at 12 o'clock noon Saturday, December 23. It will be open all day Saturday for the remainder of the school year," she added.

## NEWS DELAYED

Considerable newsmatter from The Frontier's correspondents in outlying sections of the O'Neill region has been delayed because of storm conditions. As a result this issue is being contained in 12 instead of 16 pages.

Frontier for printing!



## RETURNS FROM KOREA

QM/3 Francis B. Luben (above), son of Mr. and Mrs. William Luben, of O'Neill, has returned from navy duty which included the Inchon landing in Korea. A reservist, he was recalled to the navy a year ago. He was separated from the navy Friday and is spending the holidays here.



O'NEILL CIVIC CHORUS IN DEBUT... Director Charles B. Houser and members of the newly-formed O'Neill Civic chorus posed for The Frontier's camera following Sunday's debut—a presentation of Handel's oratorio, "The Messiah." In the photo are (left-to-right): Front row—Rev. R. W. Olson, D. H. Clauson, Clifford Dick, Stanley Lambert, John Bowen, Melvin Miller, Mr. Houser (standing), Grant Peacock, Roy D. Johnson, Dewayne Landis, Eddie Bridges, Bruce McElhanev, Don Hagensick, Delbert Dick, John H. McCarville, James Bastian (pianist); second row—George Hammond, Mrs. Earl Ralya, Mrs. D. H. Clauson, Priscilla Holsclaw, Suzanne Moss, Mrs. Clay Johnson, jr., Mrs. George Jan-

usek, Mrs. Kathleen Flood Hansen, Mrs. Grant Peacock, Mrs. Thomas Hutton, Mrs. Donald Loy, Mrs. Roy D. Johnson, Mrs. Howard Manson, Mrs. D. E. Nelson, Mrs. John Harbottle, Loretta Enright, Mrs. R. W. Olson; back row—Janice Holsclaw, Betty Thomas, Leona Troshynski, Mrs. Kenneth Adams, Mrs. Nick Schmit, jr., Mrs. C. L. Brady, jr., Barbara Bennett, Pat DeBolt, Mrs. Stanley Lambert, Mrs. William Mattern, Mrs. Robert Corcoran, Betty Harmon, Phyllis Harmon, Elizabeth Schaffer, unidentified (partly hidden), Mary Lou Conard, Mrs. Harold Lindberg, Helen Thomas.

## 'The Messiah' Pleases Large Audience

### O'Neill Civic Chorus in Successful Debut with Handel's Oratorio

(By a Staff Writer)

The O'Neill Civic chorus composed of 60 voices made its debut Sunday in a presentation of George Frederick Handel's famous oratorio, "The Messiah."

About a thousand persons, a surprisingly large turnout, heard the creditable offering of difficult music from a chorus which had been formed only a few weeks before and which had staged only 6 rehearsals.

The music lovers were duly impressed with the organizational and leadership ability of the director, Charles B. Houser, who came to O'Neill in September.

Every great musical work, whether operatic or oratorio, has a twofold purpose: (1) To tell a story; (2) To give a pleasing description of the composer's music as nearly as possible in the manner which the composer intended.

From the point of view assumed by many in the audience the newly-formed chorus succeeded in both. The voices, although overwhelmingly soprano and alto, were successfully blended to portray the true spirit of Handel's immortal music. The balance achieved with the hastily assembled chorus was commendable.

"The Messiah" is recognized as very difficult music. Handel intended it to be sung with full orchestra and organ. The O'Neill musicians were obliged to use only the piano.

Arias are inserted in works of this kind to display vocal technique. Certainly the arias as interpreted by Sunday's soloists proved that talent abounds.

Mrs. Kathleen Flood Hansen's soprano role was professional. Her poised and perfected interpretations were rare indeed for a provincial audience. By virtue of a very fine voice and intensive training over a period of years, Mrs. Hansen's singing highlighted the presentation.

The other soloists, Stanley J. Lambert, tenor; Mrs. Herbertta Hutton, alto, and Mrs. Phyllis Johnson, alto, portrayed considerable native talent. Their lesser trained voices projected well and ably told their part of the story.

It was apparent that "The Messiah" music was not new to Mr. Lambert, who sang the tenor role last year at the University of Nebraska.

It was remarkable—if not incredible—that Mrs. Hutton, who once lost her voice following an attack of polio, could step forward and sing alto arias with a very fine voice and with ease.

The rich quality of Mrs. Loy's alto has long been recognized in north-central Nebraska circles.

Mr. Houser's musical knowledge and experience accounted for the fine execution of this work in consideration of the minimum of time spent in preparation.

James G. Bastian, jr., piano accompanist, should be commended for his excellent rendition and tireless hours spent in working with the amateur group.

It should be remembered that "The Messiah" was written for experienced singers. This factor varied considerably among the 60 voices but their love for music was obviously a common denominator.

George Hammond, of "Voice of The Frontier" radio fame, was the reader, setting the mood for each number and bridging the gaps where music necessarily had to be omitted. No person in the auditorium, designed for basketball and not for opera or dramat-



C-47 GETS JET ASSIST... An air force C-47, went well except a wheel on the landing gear after being mired in the mud at Clearwater for a week, Friday became airborne with an assist from an improvised jet attachment. School classes were dismissed and townspeople turned out en masse to witness the takeoff. The C-47 with a crew of 6 was on a routine training flight and had instructions to land at Clearwater. Everything

## Rebroadcast Planned

A rebroadcast of "The Messiah" as sung Sunday by the O'Neill Civic chorus, will be presented Christmas morning over radio station WJAG (780 kc), originating through the facilities of the "Voice of The Frontier" and WJAG.

The Handel music was recorded in full at Sunday's presentation, and the tape will be edited to an hour's program.

The program will start at 9:15 a.m., a time especially provided by the station to enable family circles everywhere to hear the O'Neill music. This is a half-hour earlier than usual "Voice of The Frontier" programs begin.

This special events program has been made possible through the cooperation of 5 sponsors:

- Spelts-Ray Lbr. Co.
- O'Neill Photo Co.
- Central Finance Corp.
- Jacobson's.
- Lohaus Motor Co.

Several critics who have heard the tape have acclaimed its quality as even better than the original presentation. A WJAG special events engineer, Duke Derry, was in charge of the recording.

ics, was out of range of Mr. Hammond's settings. The auditorium simply does not do justice to the arts.

The Chamber of Commerce sponsored the presentation and an offering was received at intermission to defray expenses and to help perpetuate the chorus financially.

The audience was a bit hasty in leaving, probably due to an uncomfortably low temperature in the big room. The chorus received only one curtain call and Mr. Houser was not given the opportunity to present the soloists, accompanist and reader.

This may have been due in part to the solemn note on which the grand Hallelujah chorus brought the work to a conclusion. In any event Mr. Houser and the singers themselves seemed to be adequately repaid for their efforts by the first round of lusty applause and by the turnout. After all, road conditions were adverse and the weather was cold.

It is a fair prediction that Mr. Houser and the O'Neill Civic chorus have established a splendid tradition.

## NEW COLD WAVE GRIPS REGION

North-Nebraskans are paying now for the grace of the weatherman during a long Indian summer.

On 5 recent mornings subzero temperatures greeted the citizenry when they stepped outdoors. Late Wednesday another mass of icy air, accompanied by more snow and strong winds, was headed into the region.

The new storm is the result of a well-developed low pressure area which was located early Wednesday over Wyoming. It was moving eastward rapidly.

Highest temperature during the week was 25 degrees reached last Thursday. That night 10 inches of snow fell. Several inches of snow fell intermittently through the week.

Lowest temperature was 18 degrees below zero, registered early Saturday.

The bad roads and storm conditions shortened the yule buying season. Merchants and many unfinished shoppers are hoping for a break in the weather before Christmas.

Mainline trains on the North Western railroad were running up to 6 hours behind schedule, attributed primarily to the heavy volume of mail and partially to storm conditions. The Burlington's freight service was interrupted Friday and until late Wednesday was not back to normal.

It was the "Burr" that experienced a costly chapter during the historic 1948-'49 recurring blizzards.

All principal highways in the region were still open late Wednesday. All busses were running. Storm warnings were broadcast to stockmen.

Week's summary, based on 24 hour periods ending at 5 p.m. daily, follows:

	Hi	Lo	Prec.
Dec. 13	25	14	10-in. snow
Dec. 14	14	-6	
Dec. 15	1	-18	
Dec. 16	7	-8	1-in. snow
Dec. 17	22	-6	1-in. snow
Dec. 18	10	-12	
Dec. 19	10*	1*	

\*Unofficial.

## The Christmas Story

(Rev. Robert Hupp, a native of the Deloit community and now pastor of St. Mary's Catholic church at Wayne, wrote the following article for the current issue of The Nebraska Legionnaire. Father Hupp is chaplain of the Nebraska department of the American Legion.)

By Rev. Robert Hupp

In great contrast to the gospel of hate being promoted in the world today is the mission of Christ whose birthday we celebrate each year on Christmas day. His was a mission of love—a Child's love for His Father who had been offended—a Child's love for His brothers and sisters who had lost their way and were arguing and quarreling among themselves in their utter confusion.

He came into this world to tell us to work and play together; to be happy and make others happy; to think of others and forget self; to love and be loved. Children can understand such things. It seems to come naturally for them.

On the other hand children do not understand hate, greed, and war. They are puzzled by the blundering of their elders. Just try to explain to one of these little ones why his daddy must go to a distant land to fight and kill other men.

The Babe of Bethlehem came not as a mere symbol of peace but as the only means of peace. He gave us a formula for peace, but the world refuses to listen to it. Perhaps it is too simple, too childlike to be understood and practiced by minds that have grown in power until they overshadow the little ones who must starve, suffer and die.

During His lifetime He once said: "Unless you become as little children you shall not enter the kingdom of heaven." Applying this to the world today it sounds like this: Unless simplicity replaces our world-wide duplicity, unless humility roots pride out of the hearts of men, unless love conquers hate, we will not understand the message of Christmas.

And, as long as the formula of the Babe of Bethlehem goes unheeded there will be no peace.

## Patient in VA Hospital

CHAMBERS — P. T. Avard who was a patient in the Veterans hospital at Grand Island, returned home early last week.

## VETERAN JET PILOT RETURNS

### Capt. Brennan Chalks Up 103 Missions Against Reds in Korea

Capt. Herbert O. Brennan reached O'Neill late Tuesday, and is home again after 9 gruelling months in the Korean air war. An air force F-80 jet pilot, Brennan returned with 103 missions to his credit and decorations including the distinguished flying cross and air medal with 2 clusters.

The youthful U.S. Military academy graduate (class of 1947) went to Korea in March and joined up with the Eighth fighter group of the Fifth air force.

His work was strictly tactical, including attacks on enemy strong points and other military objectives, interdiction of the enemy's communications, and an occasional bomber escort assignment.

"We generally avoided the Russian-built MIGs," Captain Brennan explained, "leaving them to our Sabres." "During the past 4 months we have been pretty busy working out an interdiction plan and this has been fairly successful."

A St. Mary's academy graduate in 1944 and a son of Mrs. F. M. Brennan and the late Colonel Brennan, the youthful career aviator suggested that O'Neill has as much rail traffic as all of North Korea. He pointed out, however, the North Koreans were surprisingly apt in recuperating following an attack.

Anti-aircraft fire is heavy and quite accurate and the reds are quite clever in deliberately exposing a locomotive, for example, only to have the U.S. aviator discover it surrounded by flak batteries.

Captain Brennan has highest praises for U.S. ground forces in Korea. He says they deserve the credit for what has been accomplished to date.

"Their lines are now stable and they've dug in for the winter unless the reds mount a big attack.

"Our troops are much better situated than a year ago. The



Captain Brennan... "ground forces deserve the credit."

morale for all U.N. troops is very high, I think," Brennan continued.

The O'Neill pilot, who rose from flight leader to group operations officer while overseas, received the DFC a month ago for extraordinary heroism. He was leading a flight of F-80s, they encountered an enemy strong-point near their target. Brennan left the flight, neutralized the troublemakers, rejoined his comrades and led the flight to the end of a successful mission.

He left Japan Friday, reached San Francisco Saturday, arrived Monday in Kansas City, Mo., and continued to Omaha—all jumps by air.

Following his rest and recuperation leave he will report to Dow field, near Bangor, Me., and fly F-80s in an interceptor squadron.

Captain Brennan appears to be in fine physical trim despite the 9 months jet ordeal. A former schoolmate, 1/Lt. John Lee Baker, son of Mr. and Mrs. H. J. Lohaus, is also here on leave for the holidays. Baker flew more than a hundred jet missions in Korea earlier in the war.