

# MURDOCK DEPARTMENT

By H. R. NEITZEL.

Bank Building. Murdock, Neb. 'Phone No. 99.

## Deposit What You Like When You Like

But deposit your money HERE.

It is possible that you have never felt the absolute necessity of having a bank account. It is probable you could drift along for years without one but IF YOU EXPECT TO FORGET THE FRONT in this life in a financial way it is essential that you have a Bank Account.

We give you a personal invitation to make this bank your depository—whether you have a small sum or a large one to lay aside for safe keeping.

## Bank of Murdock

H. R. NEITZEL, Cashier.

Individual Responsibility Over \$300,000

Emil Kuehn made a business trip to Omaha last Tuesday.

John C. Story and family were Omaha visitors Tuesday.

Mr. and Mrs. A. Rikli were the guests of L. Neitzel and family last Sunday.

Harry Tool is out again after several days illness. You can't keep a good man down.

## Maple Grove

Special Correspondence.

D. Murray was a passenger to Plattsmouth Thursday morning to have some dental work done.

Chester DelesDenier of Elmwood spent several days this week with his uncle Harmond Beck. He departed Sunday evening for Omaha.

J. A. Davis sawed wood Saturday.

Fritz Tutz and Miss Mata Puls were Plattsmouth visitors Saturday.

D. Murray was a business visitor in Weeping Water Saturday.

Steve Beckner and wife of Union were visiting at the Rusterholtz home Friday.

I. M. Davis and family and Ray Davis and family spent Saturday at the J. A. Davis home.

L. C. Murray and family spent Sunday at the D. Murray home.

John Durman and wife spent Sunday with James Tison and family.

Rev. Brink of Mynard was visiting at the J. A. Davis home Saturday.

D. Murray and family spent Monday with L. C. Murray and family.

## HIGH SCHOOL NOTES

A Busy Week in Student Circles—Brief Items of General Interest.

This has been a busy week in school circles. With the Auburn-Plattsmouth debate, the address by Prof. Fogg, and the Lincoln Day programs in all the rooms in addition to the regular school work the teachers and students have had little idle time.

The money cleared by the Christmas Cantata has been spent for a book case in which students and teachers reference works are to be kept, and for ten framed pictures each 22 by 28 inches, one for each room in the Central Building. The pictures selected are all copies of works of the great masters and will prove of great benefit in the matter of the proper school settings.

Beginning with the current quarter all students above the fourth grade who make a daily average of 85 per cent with no grade below 80 in any one subject will be excused from the regular quarterly examination. The usual tests will be given from time to time as heretofore.

The students of the Columbian building under the direction of the principal Miss Hawksworth, have made a collection of the leading magazines containing articles pertaining to history, geography, etc., and have formed the nucleus for a students' library. A librarian has these books and magazines in charge and they are loaned out to the students. The plan is a good one and shows enterprise on the part of the school. It is a good plan to have the teacher supervise the outside reading of the students.

We regret that every parent and every teacher in the city was not able

Miss Tillie Bornemeier came down from University Place last Sunday to eat chicken dinner.

Mr. J. Heinz and father from Nuckolls county, are visiting with C. E. Mockenhaupt and family.

Miss Mary Schaal, our primary teacher has been unable to teach this week on account of sickness.

Miss Bessie Buell of Chicago spent several days this week visiting with her uncle, George Buell and family.

Rudolph Hartwig loaded a carload of household goods here Monday for Oklahoma, where he has purchased land.

C. E. Mockenhaupt was a Plattsmouth visitor last Monday to attend a meeting of the Plattsmouth Telephone company.

Matthew Thimgan has finished the residence of W. O. Schewe and E. N. Green and is putting on the finishing touches of painting this week.

Announcements have been received announcing the arrival of Miss Alice Lydia Hartung at the home of Mr. and Mrs. Paul A. Hartung at Greely, Colo.

Sammy Kitts is making the rounds renewing acquaintances with old friends. He came down to buy a carload of horses which he will ship to Calgary, Canada.

Alwin J. Neitzel and family came down from Havelock to spend Sunday with his parents. Alwin intends to go into the stock raising business next year in the southern part of the state.

The home talent play, "Through Snow and Sunshine," which was to have been given at the Woodmen hall Feb. 9th has been postponed until Wednesday, Feb. 17th on account of the inclemency of the weather.

To hear the address of Supt. Davidson on the Problems of the Public Schools. This was a most able presentation of a subject that is of vital interest. We are sorry that so few of our teachers availed themselves of the privilege of hearing the address.

The Commercial and Industrial Exhibit purchased last fall for use in the schools is proving one of the best investments made for some time. It is arousing a desire for knowledge at the same time satisfying it to a considerable extent. Many of the teachers are using it as a means of doing original work along hitherto undeveloped lines.

Report of the Plattsmouth City schools for the month ending Feb. 5, 1909.

Teacher	Mem'ship	Att'n	Trd.	P. C.
Brooks	163	199	10	381
Cole	34.6	32.5	1	922
Goehry	33.9	36.8	3	921
Martens	41.3	35.3	2	878
Yelneck	42.4	38.5	2	968
Freese	38.9	37.6	3	960
Haines	41.7	43.1	2	940
Tartich	34.5	31.6	0	915
Morgan	41.3	37.5	2	968
Johnson	37.0	33.4	7	869
Heisel	36.0	32.0	4	908
Mason	39.3	37.6	6	930
Hansen	39.5	38.1	6	929
Kanka	42.4	37.5	0	890
Hawksworth	42.1	39.6	0	940
Baird	47.8	44.6	7	933
Whalen	49.4	44.5	8	900
Wilson	45.1	42.2	10	935
Smith	50.5	44.9	2	886
Stenner	41.5	38.1	0	919
Barwick	37.7	34.5	5	889
Hiber	19.0	18.2	2	990
Total	886.7	809.3	82	918

## WILL HOLD CAUCUS

Anti-County Option Democrats Taking Steps to Oppose Such Legislation.

The opponents of county option in the house have become alarmed over some recent developments, and they propose to make an attempt to find out how the majority of the democratic majority stands on the question and possibly make apposition to any legislation against the liquor interests a party measure.

A call was being circulated this morning by Col. Bates, representing the district composed of Cass and Otoe counties, for a caucus of the house democrats at the Lincoln hotel at 8 o'clock Wednesday evening. The object of the gathering is to find out just where the majority stands. While there are a number of the members who are not committed definitely one way or the other on the proposition, and the caucus is for the purpose of enabling those friendly to the liquor interests to find out where these men stand and who they are before the matter comes upon the floor of the house or before it is definitely decided whether it is best to choke off who made their fight at the polls on consideration of this legislation.

Another object of the caucus is to put a curb and bit upon the independent democrats in the house who have not taken kindly to the effort of some of the members to make everything possible a party issue and line up the house on partisan lines. Some comment to the effect that the republicans are run-

ning the house through a combination and working agreement with the republican minority has been heard, and this has led to these democrats being termed insurgents. The caucus will attempt to repress insurgent tactics, and force these recalcitrants whose offense seems to be that they do their own thinking to follow the direction of the leaders. It is figured that this can be done by making certain matters party questions. Whether it is the intention to attempt this on county option, with the democrats taking the anti side is not definitely known, but as the most active men are against county option, this inference is being made.—Lincoln News.

## RIGHTING A WRONG

Supreme Court Decides Cass County Case of Interest to Many People.

An oral contract made in a dugout in Cass county, away back in 1871 has been held valid by the supreme court, an opinion to that effect having been handed down late Saturday evening. As a result of this ruling of the court Sarah Matilda Peterson will receive one-half of the large fortune of John H. Bauer, a pioneer Cass county farmer, who died several years ago, possessed of several hundred acres of the richest and most valuable agricultural land in eastern Nebraska. The plaintiff in the case which has just been decided by the court that Mrs. Peterson, while the defendants were John Albert Bauer and his four minor children.

LEFT PROPERTY TO SON. When John H. Bauer died it was found that he had left a will by the terms of which all of his personal property was left to his son, John Albert Bauer, who was also given the use of the realty as long as he should live. At his death it was to be divided equally between the four children of the son.

Mrs. Peterson at once began proceedings to have the will set aside and the case has been fought through the county court, the district court and has been twice to the supreme court. One peculiar feature of the litigation is that both of the principal attorneys who conducted the litigation are now members of the court of last resort and could not, therefore, participate in the proceedings. Judge Fawcett was the attorney for Mrs. Peterson, while Judge Root represented John Albert Bauer.

The plaintiff claimed half of the estate left by decedent and based her claim upon a contract made between the elder Bauer and her father at the home of the latter in 1871. Plaintiff's father was a homesteader and in very humble circumstances. His name was Nix and with his family he was living in a rude dugout, while "holding down" his claim and attempting to wrest from the soil a living for several small children, his wife having died the year before. Bauer lived nearby and even at that time was blessed with more of this world's goods than most of his neighbors possessed. His wife was not in the best of health and he had no daughter, though he was the father of a son, the principal defendant in the suit which has just been decided.

WHEN AGREEMENT WAS MADE. The testimony which was given in the trial of the suit was to the effect that Farmer Bauer called at the dugout of Homesteader Nix one afternoon in 1871 and proposed to the widower that the latter allow him, Bauer, to adopt Nix's nine-year-old daughter, "Tillie."

Three witnesses testified they were present when the proposition was made and accepted and the bargain entered into. Bauer said that he wanted a daughter and if Nix would allow Tillie to come, he would adopt her and leave her half of his property when he died. The girl went to the Bauer home and lived there until she was twenty-seven years old. She was known as Tillie Bauer and was baptized under that name; in fact she was always treated as a daughter, was referred to by Mr. and Mrs. Bauer as such and was so generally recognized.

SHE PERFORMED HER PART. The opinion of the court recites that the testimony showed the young woman to have been faithful and industrious and to have in every way conducted herself as a daughter should. It was also shown that the supposed foster father had said that she was to have half of his property at his demise. She only left his home when the younger Bauer returned there with his wife.

She had been an inmate of the household for eighteen years and Bauer recognized her right to leave. The present suit was brought to compel the specific performance of the oral contract made at the time Bauer was alleged to have agreed to adopt the girl and leave her half of his property. The district court found in favor of the defendants and ordered the cause dismissed. This judgment is now reversed and the case remanded. The supreme court says that an oral contract to adopt the daughter of a stranger and leave her property by will may be enforced by specific performance where she has fully performed her part and established the agreement by clear and satisfactory evidence. In such a case, evidence that a testator had made an oral contract to adopt the daughter of

a stranger and leave her one-half of his estate at his death may be corroborated by his statements to witnesses, of his purpose to do so.

The court further says that whether an oral contract to devise realty shall be enforced by specific performance after it has been performed by the plaintiff, depends upon the facts and circumstances in each case.—Lincoln News.

Call and See the Piano.

The public is cordially invited to call at the sales room of the Plattsmouth Music Company in the Riley Block south of the postoffice and see the fine Howard piano which the News-Herald will give away on the 3d of April. This is an instrument which Mr. Becker has been regularly selling at \$300, the price in Omaha being \$325. The manufacturer has been making pianos for over fifty years and the experience gained in that length of time is embodied in this fine instrument. Mr. Becker will take pleasure in exhibiting it to anyone calling at his store. Never before has a piano of this grade been offered in any contest anywhere.

Called to Missouri.

Miss Mable Burch received a telegram calling her to the bedside of her mother, who is very sick at Hopkins, Mo. and departed for that place Sunday evening.

Farms For Sale.

I am offering a farm for sale two miles south-west of Mynard at ninety dollars per acre. Also one 3-1-2 miles south-east of Mynard. Earl V. Cole, Mynard, Neb. 74 8

J. P. Jacobson, of Louisville was in the city yesterday to business matters.

Wedding Bells.

Tuesday afternoon at his office County Judge Beeson united in marriage Henry Hirtz and Miss Maggie Anna Meisinger. The groom is a son of William Hirtz, a prominent farmer of the county, and the bride is a daughter of

Order of Hearing.

State of Nebraska, } ss. In County Court, County of Cass. In the matter of the estate of James Skounal, deceased.

Whereas Frances Skounal, on the 1st day of February, 1909, died, leaving her estate in the County of Cass, Nebraska, and on or about the 25th day of December, A. D. 1908, while an inhabitant and a resident thereof, and that she was seized and possessed of Fractional Lots sixteen and thirty-nine of the south-east quarter of the north-west quarter, section thirteen, township twelve, north range thirteen, City of Plattsmouth, Cass county, Nebraska, said real estate being listed in the office of the county clerk as lot six of the value of one thousand (\$1,000.00) dollars, and no more; that said James Skounal left surviving him as his sole and only heirs at law the following named children, to-wit: Ross Skounal, aged nine years; Charles Skounal, aged seven years; David Skounal, aged four years; and Lucille Skounal, aged two years, and your petitioner his widow and that said estate is wholly exempt from attachment, execution or other means process and is not liable for the payment of the debts of said deceased, if any he left, and praying for a hearing upon said petition, and that an order may be entered in this court, consistent with the regular administration of said estate and establishing the date of the death of said deceased, his intestacy and the names of his heirs at law, and for a decree of assignment of said real estate to the parties entitled thereto.

It is therefore ordered that said cause be set for hearing upon the 25th day of February, A. D. 1909 at nine o'clock a. m. in the county court room in the court house in the City of Plattsmouth, in said county and that all persons interested in said estate, including the creditors of said deceased, if any there be, be notified of the hearing of said petition by publication of this order in the News-Herald, a legal newspaper published in said county, for three successive weeks prior to said date of hearing and that if they fail to appear and contest said petition the court may grant the order prayed for and enter a decree in accordance therewith as provided by law.

Dated this 1st day of February, 1909. By the Court, HYRON CLARK, County Judge.

ALLEN J. BEESON, Attorney, County Judge, 71-5

Legal Notice.

State of Nebraska, } ss. In County Court, County of Cass. In the matter of the estate of Martha Julian, deceased.

To all persons interested: You are hereby notified that there has been filed in this court the petition of Edward Martin, administrator of said estate, alleging therein that this court entered a final decree in said estate on the 23rd day of January, 1909, without legal notice to the heirs of said estate nor himself as administrator. The prayer of said petition is that said decree be set aside and that said administrator be allowed to correct an error in his final report, showing therein that he has a balance now amounting to \$109.00.

You are further notified that a hearing will be had on said petition before this court at the county court room in the City of Plattsmouth in said county on the 26th day of February, 1909, at 10 o'clock a. m. That all objections, if any, must be filed on or before said day and hour of hearing.

Witness my hand and the seal of this court this 22nd day of January, 1909. ALLEN J. BEESON, County Judge, 69-8

Legal Notice.

In the District Court of the County of Cass, Nebraska, Daniel Lynn, et al., Plaintiffs, vs. Andrew Lynn, et al., Defendants. Notice of Reference. Notice is hereby given that upon February 26th, A. D. 1909 at ten o'clock a. m. at the south door of the court house in the City of Cass county, Nebraska, I will offer at public sale the following described lands: The southwest quarter, of the southwest quarter, less one lot in the south side thereof, numbered lot thirty-one (31) containing seventy-three (73) one hundredth of an acre; lot eleven (11), in the north-east corner of said lot, excepting the right-of-way of the Missouri Pacific railroad company, there being about thirty-eight and eighty-one hundredths (38.81) acres in the title of the parties hereto. Also, sub lot five (5) being the south ten acres off the north-west quarter of the south-west quarter, excepting lot thirteen (13) off the east end of said lot six (6), occupied as railroad right-of-way, also, a lot sometimes called twenty-one (21) and sometimes called forty-one (41), being the north ten acres of the south-east quarter of the south-west quarter, excepting lot thirteen (13) off the east end of said lot six (6), occupied as railroad right-of-way, also, a lot sometimes called twenty-one (21) and sometimes called forty-one (41), being the north ten acres of the south-east quarter, being about seven and one-half acres, and sometimes known

Notice.

To Linzy Maybee, defendant, take notice that on the 12th day of January, 1909, Martha Maybee, plaintiff herein, filed her petition in the District Court of Cass county, Nebraska, against said defendant, the object and prayer of which is a divorce from the bonds of matrimony, for the reasons therein stated, and that she has been refused to support plaintiff, and is an habitual drunkard, and has treated plaintiff with extreme cruelty.

You are therefore required to answer said petition on or before March 1st, 1909.

Dated January 12, 1909. By M. ARCHER, her attorney, MARTHA MAYBEE, plaintiff.

Legal Notice.

State of Nebraska, } ss. In County Court, County of Cass. In the matter of the estate of Isaac Julian, deceased.

To all persons interested: You are hereby notified that there has been filed

George Meisinger, also a prominent farmer near this city. The NEWS-HERALD joins with their many friends in wishing joy to this popular young couple in their journey through life together.

Returns From South Dakota.

Joseph Adams residing near Mynard, who went to South Dakota several days on a sight seeing trip has returned. He reports being very favorably impressed with that section of the country and as an evidence of his good faith purchased a quarter section of land as an investment.

Old Fashioned People.

The Women's Auxiliary of St. Luke's church will give an old fashioned cook at the home of Mrs. E. W. Cook, Tuesday evening, February 16. An excellent program has been prepared, and a good time is looked for. The admission will be 25c, and all invited to attend, and all are requested to dress in old fashioned costumes.

Dr. Conn Coming.

D. C. Morgan, chairman of the committee on speakers of the Presbyterian Brotherhood, has been successful in

his attempt to have Rabbi Conn of Omaha address the Brotherhood. Dr. Conn will speak at the next open meeting which will be in the auditorium of the Presbyterian church the first Sunday in March. The Rabbi is one of the most eloquent speakers in the pulpit, and will speak from the topic "Parental Responsibility." The subject is one in which young and old are alike interested.

Will Hold Anniversary.

The Knights and Ladies of Security Platte Council No. 372 will hold its thirteenth anniversary at their lodge rooms in the Coates block next Monday night. A strong program is being prepared and refreshments will be served to the members and invited guests.

The National officers have been invited to be present and the National President W. B. Kirkpatrick has signified his intention of being present, also National Conductor, Mrs. Clark of Nebraska City, as well as Hon. John B. Watson and wife of Nebraska City. A royal good time is anticipated, and it is sincerely hoped that none of the members of the local lodge will miss a good opportunity to meet some of the National officers.

GEO. E. DOVEY, President. H. N. DOVEY, Cashier  
F. E. SCHLATER, Vice Pres. C. G. FRICKE, Ass't Cash.

## FIRST NATIONAL BANK

PLATTSMOUTH, NEB.

Transacts a General Banking Business and Respectfully Solicits a Share of Your Patronage.

Interest Paid On Time Deposits.

## Wise Talks by the Office Boy



You can take my word for it—whatever a fellow hopes to be, he will be, unless he gets on the wrong car. Whenever I hear one those worldly wise chaps using that expression, "Where do I get off?" I always feel like edging up and saying, "Put him off at Plattsmouth because he will then know just where he is going to get off and we will all know where he is getting off. We know that he will get off better than he expected for the simple reason that we are primed to the muzzle with new goods and we don't care how soon the people know it. Times are improving, business is improving, people are improving, everything is improving except the weather and you can't improve that because it isn't made to be bossed. Have you tried our Plattsmouth brand of M & J coffee? Then you can't go wrong on.

## H. M. SOENNICHSEN

In the court the account of the administrator of the estate and his petition for final settlement alleging therein among other things that the heirs of this estate nor himself as administrator had notice of the hearing before this court on the 23rd day of January, 1909, at which time final decree was entered in this estate. The prayer of said petition is that said decree be set aside and that said administrator be allowed to correct an error in his final report, showing therein that he has a balance now amounting to \$109.00.

Legal Notice.

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REFEREE'S SALE.

John C. Wharton, Attorney, Room 415—New York Life Building, Omaha, Nebraska.

By virtue of a decree of partition of the District Court of Cass County, Nebraska, entered in said court on the 29th day of September, A. D. 1908 and an order of sale entered in said court on the 5th day of October, A. D. 1908 in an action therein pending wherein Ida M. Krampien is plaintiff and John H. Krampien and Martha Krampien, her wife, Maggie M. Gallup and John N. Gallup her husband, Sophia M. Krampien incompetent and Conrad Baumgartner, Guardian of the Person of said John H. Krampien, are defendants, ordering and directing the sale of the following described real estate situate in Cass County, Nebraska, to-wit:

The south half (S. 1/2) of the north-east quarter (N. E. 1/4) and the south half (S. 1/2) of the north half (N. 1/2) of the south-east quarter (S. E. 1/4) all in section twenty-six, (26) township twelve (12) north of range ten (10) east of the 4th P. M. in Cass county, Nebraska.

NOW THEREFORE, I, James Robertson, the undersigned referee duly appointed by the district court of Cass county, Nebraska, to make partition of the lands herein more described on the 24th day of February, A. D. 1909 at ten o'clock in the forenoon of said day at the south front door of the Court House of Cass County, Nebraska, in the city of Plattsmouth in said county and state, offer for sale and sell said real estate above described at public auction to the highest bidder for cash to satisfy said decree and partition according to the terms thereof and costs and accruing costs. Said sale will remain open one hour.

JAMES ROBERTSON, Referee.