

Sheriff's Quinton's Action Legal

The contention made by the Daily News that its contemporary, the Evening Journal was carrying on a campaign of misrepresentation as regards Sheriff Quinton, and that it was endeavoring to defeat that very efficient officer by deceiving its readers into the belief that the sheriff is keeping back funds that should have been turned over to the county, is now being shown to be true and it is now up to that paper to explain to the voters what it meant by such action and it is also in a position where it owes Sheriff Quinton a public apology.

In the issue of the Journal of Wednesday, October 13, 1909, under a scare head "The People Want to Know. And it is no more than Right that they Should Know," it again seeks to mislead the people into the belief that Sheriff Quinton should turn over the fees of his office at the end of each quarter, and then goes on to show that he has not done so.

Section 43, Chapter 28 of Nebraska Statutes reads:

"Each of the County officers named in Section 1 of this Act, (Includes Sheriff) shall on the first Tuesday of January, April, July and October, make a report to the Board of County Commissioners under oath, showing the different items of fees received, from whom at what time, and for what service and the total amount of fees received by such officer since last report, and also the amount received for the current year."

It will be seen that this section of the law says nothing about fees being turned in, but it does say that a report shall be made for the CURRENT YEAR.

The section quoted by the Journal, and which we desire to say was quoted right, reads as follows:

"Provided, further, That the sheriff, shall, on the first Tuesday in January, April, July and October of each year, make a report to the board of county commissioners or supervisors under oath showing the different items of fees except mileage collected or earned, from whom, at what time and for what service, and the total amount of fees collected or earned by such officer since the last report and also (the amount collected or earned) for the current year, and he shall then pay all fees earned to the county treasurer."

It will be noted that this section of the statutes reads the same as the former with the addition that it says: "And he shall then pay all fees earned to the county treasurer."

When shall he pay those fees. When he made his report for the CURRENT YEAR.

If the Journal will read carefully, it will see that it requires a report at the end of each quarter, but says nothing about fees being turned over, but it does say that there shall be a report made for the CURRENT YEAR and that when he makes that report for the current year he shall THEN, (not every quarter,) turn in his fees to the county treasurer.

In other words, the sheriff shall make a report at the end of each quarter and then at the end of the year make a consolidated report for the full year past, and then pay over the fees. According to law, Sheriff Quinton is not required to turn over the fees of his office until he makes his report to the board of county commissioners the first of the year.

Plattsmouth Girl Graduates.

The formal opening of the new Presbyterian hospital in Omaha was observed last evening with ceremonies which included the graduation of a class of ten trained nurses, one being Miss Marie M. Martens of this city.

Following the program light refreshments were served and the large company of visitors were shown through the hospital, the affair closing with a reception.

The building is a three-story brick structure and is equipped with an Otis automatic electric elevator, while the hospital furnishings embrace the latest improvements in sanitary hospital equipment.

The new hospital has forty-four rooms, twenty-eight of which are private rooms and all of the rooms are elaborately furnished with brass bedsteads, mahogany furniture and Wilton rugs.

The grounds are spacious and occupy a slightly elevated, the whole being readily accessible by street car and close to the railway depots.

Mrs. Wm. Baird and son departed evening to visit friends in Lincoln.

Murdered In Omaha

From the Omaha Bee it is learned that Henry R. Franklin of Chicago was found murdered under the viaduct on Tenth street and just west of the Union passenger station in that city last night. The unfortunate man was found by James C. Mitchell, a switch foreman of the Rock Island, and Frank Williams of Salt Lake City, a Pullman porter. A razor was used in cutting the man's throat.

Franklin was alive when found, but died a few minutes later, before he could be taken to the station on a stretcher. His throat was cut on the left side. The gash was about three and a half inches long, the jugular vein being severed. Another cut on the left side started on the cheek and extended back behind the neck. It was about two inches deep in one place. The third cut was located high on the left side of the neck and in the hair. It was about three inches long. Cal Jones, an engineer on a switch engine, saw two men run from near the spot, where the man was found, at about the time the murder is supposed to have been committed. Franklin was recognized as a man who was seen around with a negro during the day and evening.

The pocket in the front of Franklin's trousers on the right side was turned inside out when he was found. Two \$10 bills were found in the pocket. W. Tull, who said he had been working on the Burlington bridge near this city, has been arrested on suspicion of having been connected with the case. He was seen around the station during the day with a negro and at other times with a white man who answers the description of Franklin. Tull says that he and Jim Franklin quit their jobs on the bridge gang and went to Omaha to draw their pay, and spent the day in making purchases and visiting saloons. He would not identify the murdered man as his partner. Tull told conflicting stories, and the detectives believe they will be able to implicate him in the case.

Enjoyed Banquet.

The members and friends of the Methodist Episcopal Sunday school in this city enjoyed a fine time in the basement of the church Thursday evening. The rooms were beautifully decorated with flags and bunting. Four long tables were well loaded with things to refresh the appetite and were surrounded by happy souls three times. C. C. Westcott, the able superintendent, gave a short address of welcome, which was appreciated by all. Father Winn invoked divine blessings. During the evening the Sunday school choir sang several selections, and the clapping of hands testified that they were highly appreciated. Instrumental music and social conversation quickly whiled away the hours. Similar meetings are scheduled for the future to promote the work of the Sunday school.

Visiting Old Friends.

Mr. and Mrs. W. H. Miller, the latter a daughter of Captain L. D. Bennett, who was engaged in the grocery business in this city for so many years, arrived in this city Saturday morning to visit old friends. Mr. and Mrs. Miller formerly resided here and he was engaged in the mechanical department of the Burlington shops, but they departed about eighteen years ago and their home is now in San Bernardino, Cal., and are returning from an extended visit in the southern and eastern states and they also visited Mr. Miller's people in Newton, Ia.

More Light.

The Chicago, Burlington & Quincy Railroad company is having installed in the local shops a new electric light plant for its own use to improve its lighting. The new generator is of twenty kilowatt power. This will be a big improvement on the present lighting system. P. E. Bricke of Chicago, the electrical foreman for the company, who has been supervising the installing of the plant, departed Friday evening for his home in Chicago, but will return in the near future and see that the work is properly completed.

To be Probated.

Mrs. Margaret Applegate, whose husband died September 14, 1905, by her attorneys, Clark & Robertson, has filed a petition in county court asking to have the estate of her husband, Isaac N. Applegate, administered upon and to have Frank P. Sheldon appointed administrator and names the heirs. Mrs. Ida Applegate, the widow of Leroy Applegate, filed a similar petition in county court.

Home Again.

Miss Lena Fricke met her sister, Miss Dora, in Pacific Junction and both returned home this afternoon. Miss Dora Fricke has been visiting relatives in Germany since September 1908, and reports having enjoyed her visit abroad hugely. She is looking fine and says that she never enjoyed better health. A large number of friends met her at the train and welcomed her home.

Want Column

FOR SALE.

FOR SALE.—Scott Bluffs irrigated lands. A \$2,000,000 beet sugar factory nearly finished. Send for literature. Windham Investment Company, Plattsmouth, Nebraska. 51-4

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References:
Bank of Eagle, Eagle.
Nehawka Bank, Nehawka.
Bank of Murdock, Murdock.
First Nat'l Bank, Greenwood.
State Bank of Murray, Murray.
First Nat'l Bank, Plattsmouth.

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Miss Ellen Carlson and her sister went to Omaha Saturday morning.

Acorn cigars 5 cents each. Smoke an 'Acorn' and be happy.

Notice.
State of Nebraska, } ss. In County Court,
County of Cass. }
In the matter of the estate of Jacob F. S. Stoner, deceased.
To all persons interested:
You are hereby notified that a petition has been filed in this court for the administration of the estate of Jacob F. Stoner and that I, the undersigned, has been nominated as such administrator, and that a hearing will be had upon said petition on the 5th day of November, 1909, at nine o'clock A. M. at my office in the City of Plattsmouth, Nebraska, before which hour all objections thereto must be filed. By the Court.
[SEAL] ALLEN J. BEESON,
County Judge.

Notice of Dissolution.
Plattsmouth, Neb., Sept. 22, 1909.
Notice is hereby given that the co-partnership of E. G. Dovey & Son, heretofore composed of the undersigned, is by mutual consent this day dissolved. Oliver C. Dovey retiring therefrom. The business of said partnership will be conducted hereafter under the name of E. G. Dovey & Son by George E. Dovey and Horatio N. Dovey, who assume all debts and liabilities of the former firm and will pay the same.
HORATIO N. DOVEY,
GEORGE E. DOVEY,
OLIVER C. DOVEY.

Legal Notice.
State of Nebraska, } ss. In County Court,
County of Cass. }
In the matter of the estate of Peter Rauen, deceased.
To all persons interested:
You are hereby notified that there has been filed in this court the petition of E. D. Cummins, J. R. Martin, C. L. Martin and William Wehrlein, alleging therein among other things that said Peter Rauen departed this life, intestate, on the 22nd day of October, 1908, at 9 o'clock a. m. and that all resident and inhabitant of said county, leaving both real and personal estate. The prayer of said petition is that estate be administered and that J. P. Falter be appointed administrator of said estate.
You are further notified that a hearing will be had upon said petition before this court on the 16th day of October, 1909, at 9 o'clock a. m. and that all objections, if any, must be filed on or before said day and hour of hearing.
Witness my hand and the seal of said court this 25th day of September, 1909.
[SEAL] ALLEN J. BEESON,
County Judge.

Notice.
M. E. Manspecker vs. L. R. Carroll.
Notice is hereby given that on the 8th day of November, A. D. 1909, at ten o'clock a. m. of said day at M. E. Manspecker's livery barn in the city of Plattsmouth, Cass county, Nebraska, there will be sold at public auction to the highest bidder for cash, one sorrel mare colt, past two years of age, the same being levied upon and taken as the property of one L. R. Carroll, first name unknown, to satisfy an agister's lien in favor of M. E. Manspecker against said L. R. Carroll, first name unknown, filed in the office of the county clerk of Cass county, Nebraska, October 7, 1909, Plattsmouth, Nebraska, October 7, A. D. 1909.
M. E. MANSPECKER.
BYRON CLARK and W. A. ROBERTSON,
Attorneys. 50-6

Notice.
State of Nebraska, } ss. In County Court,
County of Cass. }
In the matter of the estate of Mary Miller, deceased.
To all persons interested:
You are hereby notified that a petition has been filed in this court for the administration of the estate of Mary Miller, that David J. Pitman has been nominated as such administrator, and that a hearing will be had upon said petition on the 6th day of November, A. D. 1909, at eight o'clock A. M., at my office in the City of Plattsmouth, Nebraska, before which hour all objections thereto must be filed. By the Court.
BYRON CLARK and ALLEN J. BEESON,
County Judges.
W. A. ROBERTSON,
Attorneys. 53-6

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In addition to every year's subscription in advance we will give one of those "Don't Break Your Back" Dust Pans, a few of which we have left.

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Then there are a few dozen scissors left which we want to get out of the way and will give a pair of these to any subscriber who pays one year in advance and 10 cents extra.

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The News-Herald.

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