

The Plattsmouth Journal.

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NO. 28.

SUPREME COURT RENDERS DECISION IN DOVEY MATTER

Decision of the Douglas County
District Court Affirmed by
State Supreme Court.

From Saturday's Daily.

The state supreme court, which for some time past has had under consideration the case of George E. Dovey and H. N. Dovey vs. O. C. Dovey, to have a settlement made between the plaintiffs and defendant set aside, yesterday rendered their decision affirming the judgment of the Douglas county district court in favor of O. C. Dovey. The Omaha Bee of this morning gives the following outline of the case:

The judgment of the district court of Douglas county is upheld in an action brought by George E. Dovey and Horatio N. Dovey of Plattsmouth against Oliver C. Dovey, A. C. Adams and the Sutton National bank to recover \$7,500 in money paid to Oliver Dovey and the return and cancellation of notes and mortgages given to secure the same.

The evidence showed that George Dovey and his father, E. G. Dovey, were partners under the firm name of E. G. Dovey & Son at Plattsmouth, and continued until the death of the elder Dovey. In the settlement of the estate a disagreement arose between Oliver and the other two heirs, George and Horatio. The latter two claimed that the accountant selected to examine the books, acting under the advice of Oliver, presented an unjust report, and then the latter demanded a receiver for the business. The whole transaction covers a period of years from 1885 to the time the suit was brought, involving withdrawals of money, the business being conducted by George E. Dovey as the surviving member of the firm.

The court finds that at the time the dissolution took place in 1909 Oliver C. Dovey had an interest in the firm of at least \$45,000, and taking into consideration the good will of the business which had been successfully carried on for more than thirty years, the consideration for his withdrawal from the firm is not unjust.

UNITED STATES DISTRICT ATTORNEY HOWELL TO EN- FORCE FEDERAL GAME LAW

From Saturday's Daily.

That the recent United States migratory bird law, which forbids the killing of ducks, geese and similar birds during the seasons they go from one part of the country to another, will be enforced, is asserted by United States District Attorney Frank Howell, replying to inquiries from all parts of the state. This is the first spring season since the law was passed, and ducks, geese, snipes and other migratory birds never were so thick in Nebraska. One resident of western Nebraska wrote Attorney Howell, declaring if the government expected to enforce the law it should provide against the ravages of the fowls on the wheat fields over which they passed in their journeys.

Money Loaned.

Six per cent loans on farms, orchard lands, city resident or business property, to buy, build, improve, extend or refund mortgages or other securities; terms reasonable; special privileges. Correspondence invited. Commonwealth Securities Loan Company, R. 767 Gas and Electric Bldg., Denver, Colorado. 749 Henry Bldg., Seattle, Washington. 3-30-4tv

Gives Verdict for Plaintiffs.

From Saturday's Daily.
The case of McCarthy & Sturm vs. the Missouri Pacific Railway company, which was on for several hours yesterday before Judge Beeson in the county court, was finally decided by the court giving a judgment in favor of the plaintiff grain company for \$122. There were a number of claims made by the plaintiffs that were outlawed and these were not allowed in the claim of the plaintiffs.

PREPARING TO CELEBRATE EASTER

Beautiful and Impressive Cer-
vices Will Take Place at the
Methodist Church.

The Methodist choir and Glee club have arranged a splendid program of sacred music for the Easter season this year, and as the previous renditions of the story of the Resurrection in song given by these organizations have been such unqualified successes there will be a great deal of interest taken in the beautiful numbers offered.

On Friday evening, April 10, the choir and Glee club will render "From Death to Life," by Bartlett, one of the most inspiring sacred stories told in song, and with the unusually fine voices of these two organizations to interpret the music the event's certain to be one of the most interesting yet given in this city.

On Easter Sunday night, April 12, the choir and Glee club will again present the beautiful cantata, "The Seven Last Words of Christ," by DuBois, which was given last year by the church, and those who were present last year are certain to be present again to hear the inspiring music afforded by the choir and Glee club. Mr. Lucius Prior of Omaha will be present again this year to assist in the tenor work of the cantata, and his wonderfully sweet voice will add greatly to the strength and beauty of the production.

Both of the services have been especially selected in keeping with the story of the passion and death of Christ and the glorious resurrection on Easter day, and by means of the services of the choir a most inspiring lesson is taught to those who attend the services. A most cordial invitation is extended to the public to be present at these two services and to enjoy the fine treat afforded them of hearing these two numbers.

ASSIGNMENT OF CASES FOR THE APRIL TERM OF THE DISTRICT COURT

While in the city Saturday holding court District Judge Begley assigned a number of cases to be called at the coming term of the district court as follows: Manley Co-Operative Grain Co. vs. Missouri Pacific Railway Co., April 14; Wise vs. Gregory, April 15; Philpot vs. Gregory, April 16; Costilla Estates Co. vs. Tighe, April 17; Boston Investment Co. vs. Tighe, April 18; Bergman vs. Gerlach, April 20; Kaufman vs. Parmele, April 24. In the matter of the estate of William O'Brien, April 22-23; Parmele vs. Tighe; Ingerson vs. Ingerson; Anderson vs. Swanson; in the matter of the estate of Jane A. Dovey deceased. The cases not given dates will be called in order by the court.

LOST—Saturday, between Herold's store and the postoffice, or the postoffice and Fricke's store, a dollar. Finder please leave same at this office. 4-6-14d

DIES SUDDEN- LY AT MORGAN HILL, CALIFORNIA

Former Well Known Resident of
This City Dies Suddenly at
His California Home.

From Saturday's Daily.

This morning a letter was received in this city by old friends conveying the sad news of the death of James Pettee, a former resident of this city for many years. The death occurred at Morgan Hill, California, last Friday, where the Pettee family have resided for a number of years, and was quite sudden.

Mr. Pettee complained of a very severe headache and his wife was placing hot cloths on his head to relieve the pain, when he suddenly sat up in bed complaining of a very severe pain in his chest, and fell back on the bed dead, evidently from a stroke of heart trouble. Mr. Pettee came to Plattsmouth in the early seventies and was for years a very prominent figure in musical circles of the city, and being possessed of a fine bass voice was constantly in demand at the different entertainments and also acted as musical director of the St. Luke's choir here. He was the owner of a small music store here for quite a number of years until his removal from this city with his family in the early 90's, going from here to California, where the family has since resided. He was in the neighborhood of 80 years of age at the time of his death and the news of his demise will be learned of with great sorrow by the many old friends who knew him so well during his residence here. Besides the widow, two children, Townbridge Pettee, residing in Montana, and Miss Mamie Pettee, who resided with her parents at Morgan Hill, are left to mourn the death of this good man. Mrs. Pettee was a sister of Mrs. Harriett MacMurphy of Omaha, who was also for years a resident here, her husband conducting the Nebraska Herald.

The following friends of the centenarian acted as pall-bearers: W. J. Blystone, James Stevenson, Mart Howe, Thomas Glass, John Montleth and Fred August.

James Russell won his race with time by one month and two days. Since middle age it had been his desire to pass the century mark, and although for months before his one hundredth birthday he had been desperately ill, he seemingly held to his life by sheer will power. At last the day arrived and "Dad" Russell breathed a sigh of contentment and announced that he was ready to die. He had scored over death and reached his goal. From that time he grew gradually weaker until death overtook him.—Lincoln Star.

JOHN JONES CHARGED WITH BURGLARY, RE- LEASED ON \$500 BOND

From Friday's Daily.

John Jones, who has been confined in the county jail for the past week pending the hearing of his case in the district court at its coming session, was released this morning on bond of \$500, furnished by a security company, and will be allowed his liberty until his case is called for trial. He was charged with burglary at the slaughter house of George Thomas & Co. about two weeks ago, and was bound over by the county judge at the hearing last Saturday. The other man, Tange-man, is also out on bonds to appear at the coming term of court in this city. Jones resided in this city for a number of years, but of late has been living in South Omaha, and it was there that he was arrested.

Returns From Kearney.

Mr. E. J. Mougey, from near Union, was in the city a few hours today, arriving this morning from Kearney, Neb., where he had been for a brief visit with his brother. He also accompanied his mother-in-law, Mrs. William Bird to that city, where she will make her home for the summer with her daughter, Mrs. C. L. Mougey.

C. E. McEntee was a passenger this afternoon for Omaha, where he was called to look after some business matters for a few hours. Mr. McEntee has just recovered from a severe sick spell and is not feeling very strong at present.

New Son at Renner Home.

From Friday's Daily.
This morning the stork visited the home of Mr. and Mrs. Allen Renner, leaving with them a bouncing baby boy that was received with great joy by the parents and the little brothers and sisters, who regard the little stranger with much admiration, and they are willing to wager there isn't a finer little man in the city than the new Mr. Renner. The mother and little one are getting along fine and Al is about as proud a man as there is in the city.

FUNERAL HELD IN THE OPEN AIR

Home Could Not Accommodate
All Who Would Pay Respect
to "Dad" Russell.

James G. Russell, after more than a century of life, is resting in Wyuka cemetery. As he had lived beneath the open sky, so were the last rites over his body performed by hundreds of friends Saturday, who congregated to pay their last respects to the man who some of them at least had known for more than a half century. So large was the number of friends who gathered that there was no room in the home at 3032 Y street for them and in order that all might hear the funeral address and witness the ceremonies of the Grand Army of the Republic, in charge of the services, the body was carried into the open air.

Eighty gray-haired veterans, friends and comrades of "Dad" Russell, nearly a full company of soldiers of another day, surrounded the casket. As the line of silver crowned warriors marched past the body, faces that had felt the baptism of fire on a hundred fields felt the baptism of tears shed for the departed comrade, for the man who had followed their flag in many a wild charge were unshamed of the flowing tears as they gazed their last on the man who had stood by their friend on bloody field and in pain burdened camp.

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"THE SIMONS COMPANY" FILES PAPERS OF IMPORT- ANCE IN CLEBK'S OFFICE

From Friday's Daily.

Today in the office of the county clerk article of incorporation of "The Simons Co." were filed. The incorporators of the new company are Harry and Goldie Simons of this city and the capital stock of the company is placed at \$10,000. The purpose of the company is for the purchasing and sale of merchandise and for the buying and selling of real estate. The life of the corporation is placed at fifty years and the place of business fixed at Plattsmouth, with the privilege of placing branches in different cities or counties of the state.

Yale Motorcycle for Sale.
Fully equipped and good as new. Inquire at the Journal office.

TO STAY WATERS OF THE RAG- ING MISSOURI

The Ripping of Burlington on
the East Side of the River
Is Completed.

From Friday's Daily.

The large riprap mat that the Burlington has had in process of construction for the past few months on the east side of the river, opposite this city, has been completed and is being placed in position to assist in the work of checking the washing of the land on the Iowa side of the Missouri river, which in the past few years has occurred almost every season when the river rises, and the minds of the ablest engineers in the west have been brought to bear on the problem of preventing the further washing of the river in the locality northwest of Pacific Junction.

The mat that has just been finished is 1,150 feet in length and will be a great force in aiding in the formation of a resistance to the force of the waters of the river should they attempt any of their antics this year. It is made of willows closely woven and presents one of the best means of stopping the river than can be imagined. Already forty ears of rock have been placed on top of the mat and others will be placed so as to make the mat secure from being washed out in case of an extraordinary flood or high water, and more will be placed as soon as possible to make it almost impossible for the river to do further damage in that locality in the future.

The inhabitants of the Iowa bottoms in the last twenty-five years have suffered greatly from the changing channel of the river, which formerly sought the Nebraska shore, but after the ripping near the mouth of the Platte north of this city the river changed over to our neighboring state and each year saw more and more of the fertile land of the Iowa bottoms, swept into the angry waters of the Missouri, and many men who owned fine farms along the bottoms had them completely swept away by the river, which while stealing acres and hundreds of acres of the Iowa land has been accumulating the land on the Nebraska side of the river and today a fertile bottom of several hundred acres fills what was once the bed of the river, and already several fine crops of corn have been raised on it. Just what effect the checking of the river on the Iowa side will have here is not known, but many are of the opinion that it may be that the Missouri river will some day seek its old channel and wipe out all the land that has been accumulated east of this city in the river bottom.

Secures License to Wed.

From Monday's Daily.
This morning County Judge Beeson issued a marriage license to Mr. Gustav Woltz of Greenwood and Miss Elsie Scheel of Murdock. These young people belong to two of the most prominent families in the west portion of the county and are both well known and popular among a large circle of friends in their home. They will be married at the German Lutheran church in Murdock on Wednesday. The bride is the daughter of John Scheel, one of the wealthiest and best known farmers of Elmwood precinct. Both the bride and groom-to-be were in the city today.

Notice to the General Public!

The corner stone of the Cass county jail will be placed in position Tuesday, April 7th, at 5 p. m. Anyone wishing to deposit any record, or personal papers, or anything in that line, can do so up to 4 o'clock, when the box will be sealed and placed inside the stone.

Buy Valley Garage.

From Tuesday's Daily.
William Split and Harve Manners completed the deal last Saturday whereby they became the owners of the Frank Valley garage, located in the Wetenkamp building, opposite the court house. Mr. Manners has been connected with the auto business in this city for the past several years and his ability along this line is too well known among the people here for us to better it by any comment in these columns. Mr. Split moved to the city recently from near Murray, and is a man that will deal square all the time, which his many friends will vouch for. The new firm will remodel the old rooms and continue to do business at the old stand. Success to them!

PARMELE FAMILY TO VISIT JAPAN

Will Sail From San Francisco
Tuesday Morning on the
Steamship "Siberia."

From Friday's Daily.

This evening Charles C. Parmele and wife and daughter, Miss Hallie, will depart for the west, going to San Francisco, from where they will sail on Tuesday morning on the steamship "Siberia" for Japan, where they will join Pollock Parmele at Yokohama, and enjoy a short stay in the Japanese islands. Pollock is returning home from a trip around the world, and has spent several months on the trip, having left New York early in September, going from there to the Mediterranean sea, where stops were made at Naples and other towns of interest, and then the party enjoyed a stay of a couple of weeks in Egypt, going from there to India and the other countries along the east and south coast of Asia. The sojourn of the party in India covered the better part of a month and most of the larger cities and points of interest were visited. The excursionists also made a trip to the Philippines and a journey was made into China, touching the principal cities of that country. Japan is the last country in the far east to be visited by the excursion with which Pollock is touring, and his family will give him a most pleasant surprise by meeting him in this far-off land and accompanying him back home.

The party will visit in Japan until the latter part of May, when they will return to the United States, reaching San Francisco early in June, and will then proceed home to Plattsmouth. The trip is certain to be a most delightful one, and Mr. Parmele and family are certain to enjoy it to the limit.

DEFENSE IN MATTER OF HALMES VS. GERING GIVEN TIME FOR MORE EVIDENCE

From Monday's Daily.

The case of the estate of Nicholas Halmes vs. Henry R. Gering occupied the attention of the district court the greater part of Saturday and it was not until in the afternoon that the end was reached in the matter. The court found in favor of the plaintiffs and awarded them a judgment of \$2,200 for a note which the estate claimed had been paid by them for Mr. Gering, and on which note Mr. Halmes was security. The defense was given time to prepare a bill of exceptions, as well as to try and secure some evidence which they claimed was vital to the case. During the time for the preparation and serving of the bill of exceptions the judgment will stand suspended.

The Journal does job work.

CELEBRATES PALM SUNDAY IN FINE ORDER

Large Attendance at Both Cath-
olic and Episcopal Churches
to Celebrate Event.

Yesterday being Palm Sunday, the marking of the entrance of the Saviour into Jerusalem, and the beginning of Holy week in the Catholic and Episcopal churches was observed in a fitting manner by these churches with services in keeping with the spirit of the day.

There were the usual masses at the Catholic church, with the distribution of the blessed palms, and in the evening service was held at St. John's church, where the rector, Rev. Father M. A. Shine, completed his series of Lenten lectures on the six precepts of the church, and the service was attended by a large number of the parishioners, as well as a number of members of other churches who have been attending the able lectures of the rector.

At St. Luke's Episcopal church there were services appropriate to the day held both in the morning and evening, and at the morning services the Rev. H. M. Parshall of Duluth, Minnesota, arch-deacon of that diocese, officiated, and preached a most thoroughly enjoyed sermon. He has had a great deal of experience in the missionary work among the Ojibway Indians of northern Minnesota and his work in this line has made him one of the most valuable men in the church work in the northwest and the church here feels very fortunate in having this gentleman present to take charge of the services for the day. In the evening the church was filled to its utmost capacity by worshippers to attend the services, as well as to hear the beautiful program prepared by the choir of the church, under the direction of Prof. Auslin. The service was held by Rev. Wesley Barnes of Nebraska City, who has been here for the Sunday evening service for some weeks past preparing the class for confirmation, and the series of instruction on the church and its history has proven one of the most uplifting that has ever been delivered in the church. The musical program consisted of a rendition of the beautiful cantata, "The Story of Calvary," and the voices of the singers were well fitted for the different parts they were assigned and the cantata as a whole was one of the most pleasing that has been heard at the church for some years.

Removes to Omaha to Live.

From Monday's Daily.
Miss Lillian Thompson departs today for Omaha, where she will join her parents, who removed to that city several months ago, and she will make her home there in the future. The removal of Miss Thompson will be the matter of much regret to her many friends here, as she has been one of the most popular young ladies in the city and has been very prominent in the social and church life of the community and her loss in these circles will be greatly felt.

Files Petition for Probate.

From Monday's Daily.
Saturday afternoon a petition for the probate of the estate of the late William Leddy, deceased, of the vicinity of South Bend, was filed in the county court. The estate is quite a large one, as the deceased was the owner of a fine 200-acre farm in this county, as well as a great deal of personal property.

J. E. Jones was a passenger yesterday for Omaha, where he spent the day with his wife at the hospital in that city, where she has been for the past few months taking treatment. Mrs. Jones is now able to be wheeled around in a chair and there are bright hopes for her recovery.