

The Plattsmouth Journal

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PLATTSMOUTH, NEBRASKA, THURSDAY, JULY 13, 1922.

NO. 104

FINE OF \$100 AND COSTS ASSESSED AGAINST GUARD

Roy Mills Charged With Assaulting and Threatening Luke Dimmitt Receives Fine.

From Monday's Daily.

This morning the court room of Justice William Weber was packed to the doors by an interested audience to hear the trial of the case of the State of Nebraska vs. Roy Mills, in which the defendant was charged with having assaulted and threatened one Luke Dimmitt on the afternoon of July 7th.

The defense asked for a continuance of the case for a week but the continuance was opposed by County Attorney Cole on the grounds that it was not a civil case and practically all the evidence was ready to submit and that the condition of affairs demanded a speedy trial of the case. Judge Weber overruled the motion for the continuance and the case was placed on trial.

The complaining witness stated on direct examination that he was an employe of the Burlington railroad as fireman on the second track in the local yards in that capacity, that about 3:30 in the afternoon of July 7th he was going to the roundhouse of the Burlington in the shop yards to start in his work and when some twenty feet inside the yards was halted by the man Mills, who asked him where he was going and what he did in the shops that required his presence. Mr. Dimmitt stated that he told the guard his occupation and that the guard had asked him for identification and that he could not go on into the shop yards. The witness stated that the guard refused twice to let him go on and Mr. Dimmitt had asked the guard to get up to the company and identify him by name and position. This the guard refused, the witness said, as he stated he could not leave his post. The guard, Mills, had pulled his revolver out of the holster while talking one of the old watchmen in the yards and the witness identified the witness and he was allowed to go on. The gun had been pulled the second time the guard had refused to let Dimmitt pass.

On cross examination by Attorney W. A. Robertson, Mr. Dimmitt stated that the guard did not point a gun at him and that the trouble occurred just a short distance, probably twenty feet, inside the shop yard. The witness stated that he had been employed as fireman at various times since 1920 and had been in service since June when he was placed back after the fire had been reduced in 1921. He stated that the gun of the guard was in sight, but did not recollect seeing any star on the guard.

After hearing the evidence in the case Judge Weber decided that the defendant, Mills, was guilty as charged and placed a fine of \$100 and costs and which not being paid, the defendant should be committed to jail. The defendant through his attorney gave notice of appeal of the case to a higher court and asked that a suitable bond be fixed so that the prisoner could be released until the case comes up for trial.

FUNERAL OF J. B. SEYBOLDT

From Monday's Daily.

The funeral of the late J. B. Seyboldt was held yesterday afternoon from the home of his son, Will Seyboldt, west of Murray, and was largely attended, being one of the largest funerals that has been held in this portion of the county in many months. The services were in charge of Rev. A. G. Hollowell, pastor of the Christian church of this city, and during the service a choir of the Christian church of Murray furnished a number of selections, the choir was under the leadership of Mrs. J. F. Brendel. The interment was at the Horning cemetery south of this city and the procession covered over a mile as the friends accompanied the body of their old friend to the silent tomb.

CALLED ON SAD MISSION

From Monday's Daily.

This morning J. L. Stamp and wife from south of the city, departed for Shelby, Iowa, where they were called to attend the funeral of J. H. Hager, a brother of Mr. Stamp, which will be held today at that place. Mr. Hager died Saturday morning at the Presbyterian hospital in Omaha from Bright's disease from which he has been a sufferer for some time.

SHOWS SOME IMPROVEMENT

Mrs. Lillian Fricke of this city is at the University hospital in Omaha where she has been for the past few days for treatment and is now reported as showing some slight improvement altho still far from well. Mrs. L. E. Vroman was at Omaha Saturday and spent a few hours with the patient and found her very cheerful in her condition of health.

Blank Books at the Journal Office.

DEATH OF J. F. RITTER

From Monday's Daily.

The message was received here this morning by W. F. Huneke, local storekeeper of the Burlington, announcing the death at Chicago last night of J. F. Ritter, for the past few years lumber inspector of the store department of the Burlington railroad. Mr. Ritter was stricken with a paralytic stroke on last Friday and failed to rally from the effects, gradually sinking into the peaceful sleep of death. The deceased was one of the veteran employes of the Burlington and first started his railroad career in this city in the early eighties as an employe of the store department of the Burlington.

WATER COMPANY CASE IS SET FOR TRIAL AT ONCE

Master in Chancery B. H. Durham to Hear Evidence and Submit Findings in Sixty Days.

From Monday's Daily.

The decision of the United States district court in the case of the Plattsmouth Water Co. vs. the City of Plattsmouth, was not as sweeping as reported yesterday. Saturday, as the court, while denying the application for a temporary injunction on the grounds that an emergency did not exist, did not dispose of the case definitely as many had been led to believe by the first reports.

Judge Woodrough referred the matter to B. H. Durham, special master in chancery, who is to take the evidence in the case and is given sixty days to take the evidence and submit his findings in law to the court.

This will leave the case pending until the report of the master before a final decision is made and the rates will be based from the 1st day of June when the decision is made and if the water company wins their rates will be made effective as of that date and the reverse if the findings are for the city, which has a ordinance to be effective of that date.

The case is one that is watched with a great deal of interest by the citizens of the community who are patrons of the water company and the result will be very important to the city.

The first reports were to the effect that the court decision was definite in denying the increase in rates but such does not seem to have been the case.

OMAHA MAN IS CAPTURED BY LOCAL OFFICERS SUNDAY

Had Small Quantity of Booze in His Car and a Like Amount in Himself when Picked Up.

From Monday's Daily.

Yesterday afternoon Sheriff C. D. Quinton was called out to the vicinity of the Platte river bridge, where it was reported that a stranger was driving a car and who seemed rather under the influence of the drink that both cheers and delights the party taking it.

The man was discovered by William Grebe, state agent, who is also acting as a guard at the railroad bridges and he had the sheriff notified of the matter.

The sheriff and Chief Barclay rode out to the scene of action and brot the man as well as his car on into the city and took the car to the jail yard to remain until the case was disposed of and the driver of the car who gave the name of Walsh, was also placed in the county jail to rest up. In the car was a pint of the famous corn juice.

The complaint was filed this morning by County Attorney A. G. Cole against the man Walsh, charging him with possession of liquor and for which offense Justice William Weber assessed the sum of \$100 and costs.

TAKES OFF TRAINS

The Missouri Pacific railroad announces that they will discontinue this morning, July 11th, trains No. 107 and 108 on their main line from Omaha to Kansas City. This will be felt here as the train 107 is the passenger going north at 7:39 in the evening and has been very heavily patronized. Train No. 108 is the passenger due here at 2:32 p. m. going south. The reason given for the discontinuance of the trains is the shortage of coal as well as the conditions that exist as to travel over the railroads at this time.

HAS TONSILS REMOVED

From Monday's Daily.

This morning Miss Sarah Rector, who has been suffering from more or less trouble with her tonsils, was operated on by Dr. H. C. Leopold and is feeling very nicely since the operation that has been a great success and while still feeling the effects of the ordeal, the patient is progressing in fine shape.

CASS COUNTY SUFFERS VERY SEVERE STORM

STRIP FOUR MILES WIDE THRU HEART OF COUNTY LAYS WASTE MANY ACRES.

From Tuesday's Daily.

Sweeping from the northwest last night, one of the worst storms in the history of Cass county, swept through practically the width of the county, traveling in a southeasterly direction and leaving in its wake hundreds of acres of ruined corn crops and wiping out orchards by the force and intensity of the hail which was driven by a very heavy wind that added to the destructiveness of the storm.

At Greenwood and vicinity the ground lay white with the fallen hail and buried beneath it the corn crops and where grain was not cut, laying it to the ground. Burlington and in a few minutes the passengers were startled by a heavy roar and the hail storm burst with all its fury through the windows of the passenger coaches and in a few minutes the passengers were exposed to the storm and the rain and hail drove with great force into the coaches until the train was able to escape from the heart of the great storm.

The storm wiped out telephone and telegraph lines and left the storm-swept acres without communication with the outside world and it is impossible to fully estimate just how much damage has been done by the ravages of the wind and hail.

The southern limit of the storm near the John Hobscheidt farm and run as far north as a short distance south of the Glen Perry farm.

Alvin Range, whose farm is located northeast of Murray, was in the city today and told of the destruction wrought on his locality where the wheat that has been cut and shocked was not damaged greatly, altho a small part will be battered up by the force of the hailstones, but the corn in the storm-swept territory will be practically an entire loss. Mr. Range states that the hail was so deep in his locality that it could be shoveled up in large quantities, and was followed by a very heavy rain that filled the low places with the water and hail to the depth of several feet.

The Four Mile and Eight Mile creeks overflowed in a number of places west of the city and making travel almost impossible.

The defendants named in the suit are the various shop craft unions, the officers of the local unions and members of the strikers' committee.

In the restraining order the members of the crafts are enjoined from going on the property of the railroad company, or interfering with the employes or the property of the company and is very sweeping in its covering of the activities of the strikers.

As applying to this city the only activities that the shop men have taken part in is the petty picketing of the shop grounds and in this they probably will be allowed to maintain one or two of the pickets to serve at points distant from the property of the railroad company.

The injunction applies to all points in the jurisdiction of the court where there are railroad shops or any large number of railroad men assembled, including Havelock, Plattsmouth, Omaha and Lincoln.

PACKERS FEEL STRIKE

From Tuesday's Daily.

A wireless message received here from the broadcasting station at Omaha last night states that the packing houses at Chicago have plans for closing down owing to the difficulties of transportation of their cattle and finished products and the increasing strenuousness of the situation over the country. Some 60,000 men will be affected by the order if it is decided to be necessary to put into effect. The situation has been made more serious by the threats of the big four brotherhoods and other organizations to join in the strike now in progress by the shop crafts and which would paralyze the transportation service.

SUFFERS SEVERE INJURY

From Tuesday's Daily.

Yesterday afternoon L. E. Vroman was engaged in cutting grass at his home in the south part of the city and while doing so the blade of the tool slipped and struck the fifth ward councilman about the joint of the left knee and penetrated to the bone. The wound was very painful and required a number of stitches to close and as the result Mr. Vroman will navigate with a cane for a number of days at least.

NOW HANDLING THE BEE

George K. Staats has taken over the management of the Omaha Bee in this city and is looking after the wants of the subscribers of this paper. Mr. Staats is endeavoring to do all possible to make the service the best and to see that the patrons are given the best of service.

Phone us the news!

HAVE CLOSE GAME

The heated rivalry that has existed between the baseball teams of Louisville and Cedar Creek is now most intense as the Louisville team, after their defeat by Cedar Creek the Fourth of July at Weeping Water, came back Sunday and defeated Cedar Creek 3 to 1. The Cedar Creek team blew up in the third frame of the game and the Louisville bled put three runs over the pan, but the game was hard fought after that, but the two run lead was too much for the Cedar Creekers to overcome. A large crowd was in attendance and a greater turnout is looked for next Sunday when the two teams play at Louisville. With a horse race a real battle is being looked forward to.

NEW KIND OF JAG PRODUCER FOUND

Cook at Great Camp Found Enjoying Jag Produced by Drinking of "Canned Heat."

From Monday's Daily.

Shades of lemon extract, hair tonic and other strange and unusual jag producing liquids, there is a new rival to the old and well known brands of intoxicants that are often used by the worshippers of Bacchus, and this latest addition is—canned heat.

Yesterday morning a stranger was found at the Burlington station who was suffering from an overload of some kind of intoxicant and Sheriff Quinton and Officer William Heinrichsen escorted the strike and had the man to recuperate and to the officers the man poured forth an unusual tale of how he came to be in the condition in which he was found. He stated that he was employed as a cook in the Great camp that has been established in the Burlington shop yards since the strike and had quit his position Saturday evening and come up town where he purchased five cans of Sterno, used as canned heat by the motorists and others who have found it a most efficient and handy means of securing a quick and rapid flame.

The cook however found different use for the fuel, as he worked diligently and finally separated the denatured alcohol by straining it thru a towel and this mixture he proceeded to imbibe with the result that he became as one bereft of his good sense and filled with lofty visions not unlike an owl who has been cut and landed in the gentle but firm care of the officers of the law.

UNITED STATES COURT ENJOINS THE STRIKERS

Burlington Secures Temporary Restraining Order From Judge Woodrough at Omaha.

From Monday's Daily.

This afternoon the local officers of the six striking shop crafts were served with a temporary restraining order that had been issued in the United States district court at Omaha by Judge Woodrough, on the application of the Chicago, Burlington & Quincy railroad. The hearing on the injunction has been set for July 20th at Omaha.

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WARNS ABOUT PEDDLERS

County Attorney A. G. Cole in view of the unfortunate experience of Mrs. George Lutz at Louisville is issuing a warning to the residents of the county in general against admitting agents or peddlers into their homes unless they have a personal knowledge of the parties as many undesirable characters are drifting around and at any time are apt to carry out a stunt similar to that which was carried out at Louisville yesterday. A Hit safety will save a great deal of trouble in the opinion of Mr. Cole and he will do his utmost to urge that everyone be careful of those who come around their homes without the proper credentials as to their work and their personal standing.

Blank books at the Journal Office.

LOUISVILLE WOMAN VICTIM OF ASSAULT

MRS. GEORGE LUTZ IN CRITICAL CONDITION AS RESULT OF ATTACK YESTERDAY

From Tuesday's Daily.

The city of Louisville was in the throes of most intense excitement last evening as the result of a dastardly assault made upon Mrs. George Lutz, one of the highly respected ladies of that community and the robbery of the victim of the assault by her assailant who is thought to have been a peddler of stove and silver polish and who visited Louisville yesterday.

The crime, although committed shortly after 2 o'clock in the afternoon was not discovered until 6 o'clock when Mr. Lutz returned home to find the wife lying in an unconscious condition and the interior of the home telling mutely its story of the strenuous fight that Mrs. Lutz had made before being overpowered by her assailant.

As soon as the crime was discovered Sheriff Quinton was notified and hurried to the scene of the crime, but the unconscious condition of the victim made it a hard matter to take up the trail of the man committing the crime until 10 o'clock last night, when Mrs. Lutz, who was apparently drugged or poisoned, recovered sufficiently to give a description of the man and the story of the long struggle that she had waged against the burly polish agent. She described the man as being a tall and heavy set man, dark complexion and dressed in tan trousers and light colored shirt and wearing a straw hat.

When he entered the Lutz home he was wearing glasses, but later removed these when starting the attack on the unfortunate woman.

The facts in the case as far as Mrs. Lutz could give them were that she had been preparing to go down to the bank business with it and the town from the home which is located in the extreme east portion of Louisville, and she called up one of her daughters and told her that she was intending to go down town and make a payment on the home that Mr. and Mrs. Lutz were planning to purchase. Shortly after this, as she was getting ready to leave, she heard a knock at the door, and going to the basement door found a stranger there who tried to sell her some silver polish. Mrs. Lutz told the man she did not want any of the polish and he then stated that he would make her take some and at this started into the room where the woman was standing. Mrs. Lutz, who is quite active and strong, despite her fifty-three years, grabbed a chair to defend herself and it is stated that she struck the man with it and he had then continued his attack and for more than an hour she struggled with him back and forth in the room and attempted to get away by running up the stairs from the basement but before she could open the door to escape he grabbed her and commenced choking her and after a terrific struggle in which her garments were torn, the man grabbed a bottle from his pocket and forced a small amount of the contents into the mouth of the well high exhausted woman and shortly afterwards she lost consciousness.

As they were struggling, the waist of Mrs. Lutz was torn and a sum of money supposed to be somewhere in the neighborhood of \$100, which she had thrust in her dress when she went to the door, was dislodged and fell to the floor, and this was taken away by the assailant. Mrs. Lutz had the rest of the money in a purse that she had placed under her hat in the room and which was not found by the assailant and robber. The man, it seems, had pulled down all the curtains in the main portion of the house and while there were a number of the neighbors near the place at different times, they did not realize the near tragedy that had occurred as they saw the blinds down and concluded that the family were all absent.

After committing the crime, the man apparently had searched the house and left with the idea that the victim of the assault was either dead or in such condition that she would be unable to tell of the affair, as it is stated that a man answering the description of the assailant was at the Nichols store about 4 o'clock trying to sell some Boy Blue polish to the owner of the store, Frank Nichols. He had a companion, another man with him at that time, and they were driving a Ford roadster and were reported to have left Louisville traveling south.

The storm, which occurred about the time Mrs. Lutz was able to tell her story had placed the telephone lines out of commission and all efforts to get in touch with other points were fruitless, despite the efforts of the sheriff to get the description of the man broadcasted over this part of the state and thus bring about his early capture.

The residents of Louisville were able to give a very good description of the man and it is thought that he is a resident of Omaha and that his capture will be a matter of only a short time. The companion of the

BRASS FOUNDRY MEN JOIN FORCES WITH STRIKERS

Fifteen Brass Moulders and Helpers, 3 Stationary Firemen, 1 Engineer Added to List.

From Monday's Daily.

This morning the only additional changes to the strike situation in this city was the addition to the force of men out on the strike of fifteen moulders and helpers from the brass foundry, three stationary firemen, one stationary engineer and two foremen at the shops who added their names to the roll of the striking shop crafts.

There has been much conjecture as to the offer of the railroad company to those who desired employment in the shops to take the places of the men who are out on the strike and very little change was noticeable in the situation. The Burlington offices report the addition of three men to the force of workmen in the departments that have been out on the strike, while the headquarters of the union forces state that no one who has been on the strike has gone back to work as yet.

MASS MEETING AT PARK SUNDAY WELL ATTENDED

Rev. A. M. Beebe of Franklin Street Church of Omaha Addresses Citizens of this City.

From Monday's Daily.

Yesterday afternoon Garfield park was the gathering place of a large assemblage of the citizens of this city and vicinity to hear the addresses of the day which had been arranged for the event.

Attorney A. L. Tidd presided over the meeting and introduced the speaker of the afternoon, the Rev. A. M. Beebe of the Franklin street church of Omaha and who is now touring the state in the interests of the straight progressive ticket.

In his remarks Rev. Beebe took up the strikes and urged the men and women of the labor world to stick together and also took up the relative effect of the strike on the residents of the community not directly affected by the strike by the strike and which the speaker pointed out was almost as great as that of the strikers themselves.

Rev. Beebe also stated that the issue involved was not so much that of wages involved, as the dollar was a secondary consideration but that the principles involved—that of the right of mankind to the enjoyment of liberty and the right to labor without being bowed beneath oppression was primarily the issue. He also urged that the strikes was the wrong way to adjust the conditions but urged that the ballot box was the fitting place to wrest the control of affairs from the few and place them in the hands of the many by voting for men for executive, legislative and judicial offices who were in hearty sympathy with the movements and aspirations of the common people.

STORM CHECKS WORK

From Tuesday's Daily.

The rain storm here last night did not do a great deal of damage and the storm here was not accompanied by the hail and rain that visited other sections of the county and the only damage caused was to the work on the Main street sewer and the repaving. Mr. Coleman, the contractor, had the misfortune to have a portion of the embankment on the sides of the new sewer cave in and which caused the newly placed concrete covering of a part of the sewer to sink and will require some little work to replace.

STORM CHECKS WORK

Mrs. D. E. Foster and daughter, Miss Nellie Kennedy of Tacoma, Washington, who have been here visiting at the home of Mr. and Mrs. Val Burkle, departed yesterday for Oberlin, Kansas, and Otis, Colorado, where they will spend a short time and then return to this city to visit for a short time.

Blank books at the Journal Office.

ALWAYS DEPENDABLE

How Does It Benefit Me?

People often say to us, "What is the Federal Reserve System—how does it help the First National Bank and do I get any benefits from it?"

Federal Reserve banks own the world's greatest gold fund and these vast resources are available to member banks in assisting business men and farmers, in keeping interest rates steady, in maintaining confidence and promoting business progress generally. These and other benefits are yours as a depositor of this National bank.

THE FIRST NATIONAL BANK
THE BANK WHERE YOU FEEL AT HOME
PLATTSMOUTH 1 NEBRASKA

Member Federal Reserve