

The Plattsmouth Journal.

VOL. NO. XXXIX.

PLATTSMOUTH, NEBRASKA, MONDAY, DECEMBER 31, 1923.

NO. 49

CARL FRICKE ACQUITTED OF EMBEZZLEMENT

AFTER DELIBERATING FROM 1
TO 4 O'CLOCK JURY FINDS
FOR THE DEFENDANT.

CHARGED WITH TAKING FUNDS

While in His Duties as Secretary of
the Livingston Loan & Building
Association.

From Friday's Daily—
Following the long trial covering
several days in the action of the
state of Nebraska vs. Carl G. Fricke,
the jury in the case yesterday afternoon
at 4 o'clock returned with a
verdict finding for the defendant and
freeing him of the charge of embezzlement
that had been preferred in the
indictment returned by the grand
jury which met here in November.

The case was given to the jury at
noon and following the dinner hour
the members of the panel retired at
1 o'clock to deliberate over the issues
and returned their verdict at 4
o'clock of "not guilty." The defendant,
Mr. Fricke, displayed great emotion
as the verdict was read by the
clerk of the district court which set
him free of this charge.

The indictment preferred against
Mr. Fricke had four counts originally
but the state dismissed three of these
and elected to try the case on the
one count charging embezzlement of
\$351 claimed to have been paid in
settlement of the H. H. Cotton loan
which it was charged the defendant
appropriated for his own use by de-
positing in a local bank. The an-
swer to this was that the defendant
had made the payments on this loan
himself for a long period and that
the funds were due him in repay-
ment.

The defendant has a second indict-
ment of five counts charging irregu-
larities in his book accounts that will
be brought up at the January ses-
sion of the district court.
At the time of the smash-up of the
Livingston Loan & Building association
in which a large number of the
Plattsmouth people were stockhold-
ers, a settlement was made by Mr.
Fricke turning over his property
here and relatives making up a part
of the alleged shortage which was ac-
cepted by the officers of the associa-
tion and the secretary given a clean
bill which stood until the action of
the grand jury.

From Thursday's Daily—
The long drawn out trial of the
case of the state of Nebraska vs. C.
G. Fricke, which has been taking the
attention of the district court since
Friday morning, was given to the
jury at noon today when the court,
Judge John B. Pawnee City, com-
pleted his instruction to the mem-
bers of the jury and they retired to
deliberate on a verdict.

The chief argument of the defense
was by Attorney Hallack Rose of
Omaha and summed up the defense
of the alleged actions charged
against Mr. Fricke in the indictment
returned by the grand jury. The
opening statement of the state
was presented by Attorney D. O.
Dwyer, special prosecutor, and the
closing argument by William T.
Thompson, assistant attorney gen-
eral.

The state charges Mr. Fricke with
having embezzled to his own account
the sum of \$351 which was ordered
paid by the directors of the Living-
ston Loan & Building association of
which Mr. Fricke, the defendant,
was secretary, to apply on the can-
cellation of the loan and stock held
in the association by Mrs. Gertrude
Beeson Cotton. The state in support
of its contention introduced the war-
rant issued by the building and loan
which was endorsed by the defendant
and deposited by him in the Platts-
mouth State bank to his own per-
sonal account. Other matters cover-
ing shortages were introduced in the
case by the state to show motive but
these were not considered as the
facts relative to the issue in this
case, the court admonished the jury,
save as the base of the motive.

The defense contended that the de-
fendant, Mr. Fricke, had paid on his
own responsibility the dues of the
Cotton loan for a long period and
that he had cashed the warrant in
payment of the claim to his own
credit through the fact that he had
paid out the sums charged as dues
from his private accounts.

The case has not attracted the
widespread interest that the previous
trials of persons indicted by the
grand jury and those who have been
in attendance at the hearings have
been largely persons who have been
stockholders in the Livingston Loan
& Building association and who suf-
fered losses in the troubles that have
racked that institution since April,
1921, when the affairs of the asso-
ciation were taken over by the state
department of commerce and bank-
ing.

MAKES LAST TRIP HERE

From Friday's Daily—
Yesterday E. A. Bailey, or "Ed"
as he is better known to the many
patrons and friends in Plattsmouth,
arrived here to look after the inter-
ests of the firm of Paxton & Gall-
agher, the Omaha wholesalers, and an-
nounced to the many friends that it
was the last trip as the representa-
tive of the wholesale house. Mr.
Bailey has been coming to this city
and the surrounding towns for so
many years that it will not seem nat-
ural to see another take up his tasks
and carry on the work when the old
veteran retires. Mr. Bailey is well
along in years and feels that the trav-
eling game is getting a bit too strenu-
ous for him and that he should en-
joy a few years of rest and accord-
ingly he has arranged to join his
brother, Dr. B. F. Bailey of Lincoln,
the owner and manager of "Green
Gables," the well known sanitarium
situated near College View.

CLASS OF 1923 HOLD REUNION LAST NIGHT

Meet at the Pleasant Country Home
of Mr. and Mrs. Henry Born,
West of This City.

From Friday's Daily—
The members of the class of 1923
of the Plattsmouth high school, tak-
ing advantage of the holiday season
which has brought a number of the
members of the class home for the
vacation, held a very delightful re-
union at the home of Mr. and Mrs.
Henry Born, west of the city, where
in the past the class has enjoyed so
many very delightful gatherings, as
the guests of Leonard Born, one of
their classmates.

The evening was spent in playing
progressive hearts at which a great
deal of pleasure was derived by all
of the party and in which Harold
Mullis of Casper, Wyoming, was
awarded the first prize while the
consolation prize was given to Miss
Ursula Herold. Following the cards
the members of the party enjoyed
some time in dancing and social con-
versation until an appropriate hour
when dainty and delicious refresh-
ments were served.

Those attending were: Messrs.
Harold Mullis, Frank Grassville,
Roy Olson, Leonard Born, Elmer
Johnson, Lawrence Baldwin, Charles
Egenberger, John Wagoner, Louis
Sokoda, Misses Ursula Herold, Frances
Krejci, Doris Winscot, Marguerite
Wiles, Ethelyn Wiles, Helen Wiles,
Judith Johnson, Harriett Peacock,
Elizabeth Nolting, Florence Cecil,
Helene and Edith Gopen, Clara John-
son Giespie, Murna Wolff, Helene
and Edith Farley, Ora Allen, Bessie
Ault, Marie Hunter, Clara Wickman.

FUNERAL OF JAMES L. SPECK HELD YESTERDAY

From Thursday's Daily—
The funeral services of James L.
Speck were held yesterday afternoon
from the Christian church in this
city and very largely attended by the
old friends and neighbors to pay
their last tributes to his memory.
The service was in charge of the
Rev. W. A. Taylor, of Union, and
who in his usual sympathetic man-
ner brought to the sorrowing mem-
bers of the family a feeling of com-
fort in their hour of bereavement at
the taking away of the father and
grandfather from their family circle.

During the service a male quartet
composed of B. A. McElwain, Dr. R.
P. Westover, Frank A. Cloldt and
George L. Farley sang two of the old
hymns, "Jesus Savior, Pilot Me" and
"Rock of Ages."
At the conclusion of the service,
the body was laid to rest in Oak Hill
cemetery, the pall bearers being se-
lected from the old friends and ac-
quaintances of the years past, they
being A. A. Wetenkamp, W. A. and
H. E. Becker, G. M. Hill, P. A. Horn
and Walter Propst.

BUSY IN THE FAR NORTH

From Friday's Daily—
A number of Christmas greetings
from Petersburg, Alaska, have found
their way to Plattsmouth of whom
the Journal was remembered, they
coming from an old time Plattsmouth
boy and his good wife, Mr. and Mrs.
Russell York where they are mak-
ing their home and have lived for
some time. Mr. and Mrs. York are
engaged in the laundry business in
Petersburg. While they are extend-
ing best wishes for the home folks
and friends here we are not unmind-
ful of the excellent character of this
young man and his wife to whom we
extend best wishes for the coming
year.

VISITS FRIENDS HERE

From Friday's Daily—
Mrs. W. B. Oakes, formerly of Sil-
ver City, Iowa, and now making her
home at Knoxville, Ia., arrived here
last evening and was the guest at the
home of Mr. and Mrs. R. A. Bates,
old friends, during the evening. Mrs.
Oakes has been in Omaha and took
the opportunity of enjoying the very
pleasant visit with the old friends
here which was very much enjoyed
by all of the party.

DEATH OF WELL KNOWN LOUISVILLE LADY ON SUNDAY

Mrs. William Stohman Passes Away
After a Month's Illness From
Pneumonia—Aged 54.

From Thursday's Daily—
On Sunday evening at 10:30 at the
home in Louisville occurred the
death of Mrs. William Stohman, one
of the pioneer families of the county.
The death of Mrs. Stohman followed
a month's illness from pneumonia
and from which she had failed to
rally and during this period she has
at several times seemed near the end
of life's journey but was able to rally
and gave hopes to the members of the
family circle that she might be spar-
ed to them but without avail as she
continued falling until Sunday when
she rapidly sank into the sleep that
knows no awakening.

Theresa Thimgahn was born Aug-
ust 10, 1869, near South Bend and
was the daughter of Mr. and Mrs.
August Thimgahn, pioneer residents
of Cass county. She was baptized in
infancy in the Evangelical Lutheran
church and in 1884 was confirmed in
the church to which she has been
greatly devoted in her lifetime. On
June 6, 1889, she was married at
Louisville to William Stohman, the
marriage being performed by the
Rev. Cathenhusen, who had also re-
ceived her into the church, and the
young people started housekeeping
on the farm near Louisville where
they resided for more than thirty
years, and where all of their child-
ren were brought into the world and
reared. On leaving the farm they
located at Louisville where they pur-
chased a very attractive home and
prepared to enjoy the closing years
of their lives in comfort and restful-
ness but which dream of the future
was shattered when the hand of
death fell on the wife and mother of
the household.

To mourn the passing of this good
woman there remain besides the hus-
band, two sons and two daughters,
Walter and William Stohman, Jr.,
Mrs. Henry Gabel and Mrs. Ferdin-
and Brunkow, all of whom reside in
Cass county. One son, John, the eld-
est of the family, preceded the moth-
er to the Valley of the Shadow. There
also remain the aged father, August
Thimgahn of Omaha, three sisters
and one brother, Mrs. Marie Boulson,
Miss Pauline Thimgahn and Mrs.
Louis Hill, of Omaha, and Walter
Thimgahn of South Bend. A large
number of other relatives are left to
mourn the death of Mrs. Stohman.
The funeral services were held on
Wednesday afternoon, a short ser-
vice at the home and later at the
Lutheran church at which the Rev.
Theodore Hartman officiated and at
the conclusion of the service the
body was laid to rest in the new
cemetery beneath the many beau-
tiful flowers that came from the old
friends and neighbors.

INCOME TAX RETURNS

The collector of internal revenue
for the state of Nebraska announces
that all income tax return forms for
1923 will be released to taxpayers on
January 2, 1924. Individuals, part-
nerships and corporations who filed
returns for the year 1923 will have
mailed to them similar forms for
1923. Those who desire additional
copies and those who do not receive
forms through the mail may procure
same by addressing the collector's of-
fice at Omaha or branch offices at
Lincoln or Grand Island. It is incum-
berent on the taxpayers to secure forms
in time to make filing on or before
the due date, viz.—March 25, 1924.
If forms are not received through
the mail it is the duty of the tax-
payer to take such steps as are nec-
essary to procure same. He cannot
predicate an excuse for delinquency
upon the fact that forms were not
mailed to him.

ENGAGE EXTENSIVELY IN SHEEP FEEDING LINE

From Thursday's Daily—
One of the largest feeders of sheep
in this part of the state are the
Warga Brothers, who are handling
some 1,500 on their farm south of
this city this year and today brought
to town a flock of the fatted lambs
for shipment to the market in Om-
aha. The lambs were bought in the
Omaha market and shipped to this
city and were then driven to the
farm where they have been feeding
for several weeks and now return to
market in the best of shape and will
furnish very savory mutton for the
market and which will make a real
treat to the lovers of this meat.

Charles Warga was in the city to-
day arranging for the shipment of the
lambs to market and while here
called at the Journal office and en-
rolled his name for the paper as he
feels that the household is not quite
complete without this necessity.

New Year's day is the time for
well wishes to your friends. Do it
with the fine line of New Year cards
that can be found at the Bates Book
and Stationery Store.

POSTERS AT PUBLIC LIBRARY

From Friday's Daily—
The public library, thru the cour-
tesy of L. J. Garey, general agent of
the Railways of France, has just re-
ceived four beautiful posters illus-
trating characteristic scenes along
the railways of France. These are
reproductions of masterpieces of
some of the foremost painters of
modern Europe and are most attrac-
tive.
The library feels quite compli-
mented in receiving these posters as
they are in great demand in libraries
for their beauty and educational
value. Collections are now on ex-
hibition at the Congressional lib-
rary, New York public library, Yale
university and Boston Athen-
eum.

DE MOLAYS OB- SERVE 21-YEAR-OLD CEREMONIALS

Boys' Organization Bids Farewell to
Members Who Have Reached
Manhood's Estate.

From Thursday's Daily—
Last evening at Masonic temple,
Cass Chapter, Order of DeMolay, held
its ritualistic services for the
members of the order who have
reached the age of 21 years during
the past year and are no longer mem-
bers of the order. Sixteen of the
young people started housekeeping
in the city of Plattsmouth and re-
ceived the last degree which severs their
connection with the chapter in active
work. The members receiving the
degree were: Harley Becker, Frank
Lister, Buford Goodwin, Edgar Pet-
erson, Henry J. Ofe, Melvin R. John-
son, Oscar Gopen, Carl J. Schneider,
Andrew J. Snyder, Elmer E. Fricke,
Dimer J. Rummel, Mason E. West-
cott, Earl R. Babitt, Fred J. War-
ren, John P. Stahler, Jr., Edward
Matschullat. The ritualistic work
was exemplified by the three coun-
cillors, James Warren, William
Matschullat and Jack McCarty.
Henceforth the young men will no
longer be known as DeMolays but in
order that the ties of the past years
in which he has acted as advisor the
DeMolay club is being organized
which will admit to its membership
all present and past members of the
order.
Officers for the ensuing term were
elected, being: Master councilor,
William Matschullat; senior councilor,
Jack McCarty; junior councilor,
Elmer Johnson.
The chapter also received the resig-
nation of Ralph J. Haynie as ad-
visor to the local chapter. Mr. Hay-
nie's duties as advisor to district No.
2 of the DeMolay in this state have
become so heavy as to prevent him
from giving the time necessary to
the proper supervision of the local
chapter. During the past three years
in which he has acted as advisor the
chapter has grown from fifty to over
200 and in the ritualistic work has
been second to none in the state. The
boys, to whom he has been a friend
and a counselor at all times, greatly
regret to lose him as the "dad" of
their lodge, but feel that in Raymond
Cook, who has been named ad-
visor, a worthy successor has been
found. Mr. Cook was a charter mem-
ber of Cass chapter and its second
master councilor and is admirably
fitted for his new position.

MR. POOL IS NOMI- NATED BY FRIENDS

Forty Voters, Mostly State Officers
and Appointees Pay Fee and
File Petition for Him.

From Thursday's Daily—
Charles W. Pool, secretary of
state in a quandary. He has been
petitioned by J. J. Cassidy and thirty-
nine other voters, most of them
employes or appointees under the
state administration, to put his name
upon the primary ballot next April
as a democratic candidate for re-
nomination. The petition is accom-
panied by a receipt showing that some
one paid the necessary \$10 filing fee.
The petition and receipt were found
upon Mr. Pool's table Wednesday
morning. It came as a Christmas
gift. Among the women voters who
petition for Mr. Pool is his wife.
Mr. Pool knows of no one whose
name he would rather put on the
primary ballot, but has made no an-
nouncement. He has five days under
the law to file a written acceptance
of this Christmas nomination. He
said he desired to take the matter
under consideration, but had no
doubt he would end the whole affair
by accepting. He served two terms
as secretary of state, from 1915 to
1919, and is now serving his third
term.

ABBOTT WILL HEAD COURT REPORTERS

Twenty-five Districts Represented at
Thirty-fifth Annual Meeting
of Legal Scribes.

From Friday's Daily—
O. A. Abbott, Jr., of Grand Island
was elected president of the court
reporters of the state of Nebraska
at the thirty-fifth annual meeting
held in Lincoln Thursday afternoon.
W. S. Heller of Omaha was re-elected
to act as secretary for the coming
year. About twenty-five of the
thirty-four districts were represent-
ed.

Arrangements were made to bring
the national convention of court re-
porters to Omaha for 1925. The na-
tional convention for 1924 will be
held in Atlantic City, N. J.
About twenty were present at the
dinner served at 6:30 p. m. at the
University club. Short talks were
given by Judge Morrissey and Judge
Broady of Lincoln and Judge Cor-
coran of York. Dale Stough of Lin-
coln had charge of the arrange-
ments.

Out of town members who were
present are as follows: W. S. Hel-
ler, J. M. Johnson, W. F. Milotz, Sid-
ney Smith, Miss Florence C. Cham-
berlain, Miss Sprecher, W. J. Faw-
cett, all of Omaha; L. L. Turpin,
Plattsmouth; George W. Goldsmith,
Falls City, and Mr. Grubb, Lexing-
ton.

Lincoln members who attended
are: Myron E. Wheeler, E. R. Mook-
ett, Minor S. Bacon, Miss Bess Rich-
ards, Dale Stough and Miss Marie S.
Bell.

Advertising will pay you.

LAND DISPUTE IS CARRIED TO THE SUPREME COURT

Burlington Railroad Contests Deci-
sion of Judge Begley as to Ow-
nership of River Accretion

The Missouri river has taken away
much property from the Burlington
railroad in the past; now comes the
railroad into the supreme court and
insists that when the river gives back
other land instead, the district court
should not take it away from the
company.
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much property from the Burlington
railroad in the past; now comes the
railroad into the supreme court and
insists that when the river gives back
other land instead, the district court
should not take it away from the
company.

Judge Begley in district court, re-
cently held that a number of per-
sons who had squatted on land that
formerly was under water and
the Burlington depot and right of
way in the city of Plattsmouth were
entitled to the possession and were
the owners of the property. The com-
pany says this was wrong and the
land belongs to it under the law.
Under the law of the state if this
addition to the dry land was accret-
ed, that is, was slowly added to the
right bank of the river by deposits
of sand and mud, it belongs to the
person whose land was thus added to.
The squatters claim, however, it
is nothing of the kind, but merely
land that emerged by deposit of
sand and dirt, held in suspension by
the water, above the surface of the
river entirely disconnected from the
bank of the mainland.

The suit is one brought by the city
of Plattsmouth. It had a legal battle
some time ago with the railroad,
which resulted in an agreement that
the company should be recognized as
the owner and pay taxes thereon
and to have it whenever the needs
of commerce demanded, but that
meanwhile the city should have pos-
session. A baseball park is all that
the decision of the lower court left
for the city.

MR. POOL IS NOMI- NATED BY FRIENDS

Forty Voters, Mostly State Officers
and Appointees Pay Fee and
File Petition for Him.

From Thursday's Daily—
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doubt he would end the whole affair
by accepting. He served two terms
as secretary of state, from 1915 to
1919, and is now serving his third
term.

Judge William H. Westover, of
Rushville, has filed on the non-politi-
cal ballot as a candidate for renom-
ination for judge of the Sixteenth
judicial district.

FUNERAL OF G. E. M'ENTEE IS HELD HERE YESTERDAY

From Thursday's Daily—
Yesterday morning at the St.
John's Catholic church occurred the
funeral services of the late Charles
E. McEntee, an old resident of this
city, who passed away Sunday night
at Lincoln, and who was brought to
this city to rest beside the other mem-
bers of the family in the Catholic
cemetery here.
The requiem mass of the church
was celebrated by Father M. A. Shine,
and a large number of the old time
friends were in attendance to pay
their last respects to this pioneer
resident of the community.

At the close of the service the body
was borne to Oak Hill cemetery,
where it was laid to the last long
rest. The pall bearers were A. G.
Bach, L. W. Lorenz, F. M. Bestor,
E. H. Schulhof, John J. Cloldt and
John Bergmann.

Mrs. W. F. Huneke departed this
morning for Omaha where she will
meet her mother, Mrs. George Enger
of Burlington, Iowa, who is to spend
the remainder of the holiday season
here at the Huneke home.

ENTERTAINS H. F. CLASS

From Friday's Daily—
The H. F. Class of the Presby-
terian Sunday school was entertained
very pleasantly on Wednesday eve-
ning at the home of their teacher,
Miss Clara Weyrich on Granite street
and the occasion enjoyed to the ut-
most by the young ladies, members
of the class. The early part of the
evening was spent in progressive
games and at which Miss Helen
Warner proved the most proficient
and was awarded the first prize, the
second prize going to Miss Esther
Olson and the consolation prize was
awarded to Miss Clara Triley. Dur-
ing the evening the hostess served
very dainty refreshments that were
very much enjoyed by the members
of the party.
Those attending were: Clara Triley,
Emma Wohlfarth, Alice Pollock,
Murna Wolff, Esther Olson, Helen
Warner, Marie Hunter, Edith Wyn
Wiles, Kermit Wiles, Thelma Olson,
Edith and Helen Farley.

CHURCH SCHOOL OF ST. LUKES ENTERTAIN

Annual Christmas Entertainment is
Held at Public Library Audi-
torium Last Night.

From Friday's Daily—
The church school of the St. Luke's
Episcopal church held their annual
Christmas party and entertainment
last evening at the auditorium of the
public library which was attended by
a pleasing number of the parents
and friends as well as the members
of the church school and the Little
Helpers, the youngest of the mem-
bers of the school.
A very interesting program of song
and recitations had been arranged
for the occasion and the young peo-
ple taking part were well trained
and pleasing in their offerings. The
girls' sextette as well as the quartet
and other numbers on the program
were received with the greatest of
approval by the audience.

At a suitable hour Santa Claus
made his appearance on the scene
and amid the tinkling of bells and all
of the accustomed settings of the
holiday season the genial St. Nick
arrived and distributed the sacks of
candy and other dainties to the
young people which served to add to
their pleasure and delight and brot
to a close the most enjoyable occa-
sion.

DIRECTORS OF ELEVATOR MEET

From Friday's Daily—
This afternoon the directors and
officers of the Farmers' Elevator Co.,
of Cullem held their meeting at the
Plattsmouth State bank to check up
the business of the year and to dis-
cuss the plans for the annual meet-
ing which is to be held in January.
The members present were C. T. Pea-
cock, president; Louis Born, vice
president; August Kehl, secretary;
P. T. Becker, treasurer, and J. C.
Melsinger, director.

George Cunningham and wife and
son, Harry, motored over to this city
to spend Christmas with the rela-
tives here and on their return were
accompanied by Mrs. Cora Cotner,
sister of Mrs. Cunningham, and Jess
Rasmus, who returned home yester-
day.

Under Government Supervision

MEMBER
FEDERAL RESERVE
SYSTEM

"H---N---Y!!!"

Since time beyond memory everybody
has wished everybody else a Happy New Year.
But we ask you to believe that nobody ever
wished it to anybody more heartily or more
sincerely than we wish it to you!

May 1924 prove to be
the richest, finest,
happiest year you
have ever known!

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