

# The Plattsmouth Journal.

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NO. 56

## VERDICT OF GUILTY IN THE PARMELE CASE

### DEFENDANT CHARGED WITH EMBEZZLEMENT OF \$1,500.00 FROM LUKE WILES.

## JURY WAS OUT FIVE HOURS

### Fricke Case Next Matter Up—Will be Tried Today—Parmele Faces Two Other Indictments.

The embezzlement case of the State of Nebraska vs. Charles C. Parmele, was given into the hands of the jury Wednesday afternoon at 2 o'clock, at the conclusion of the arguments and the giving of instructions by Judge Troup, and they retired to the jury room, returning at 7:40 last night with a verdict of guilty, and fixing the sum embezzled as \$1,500.

### From Wednesday's Daily—

The action of the state of Nebraska vs. Charles C. Parmele was started yesterday afternoon at 4:30 in the district court when the jury was finally selected and the matter brought to trial before Judge Troup.

The defendant is represented in the action by Fred Wright and H. H. Kuyper, of Omaha, and William A. Robertson of this city, while the state is represented by L. W. Dort, assistant attorney general, and D. O. Dwyer, special prosecutor for the county.

The state commenced their case with the presentation of their case with the defense with Mr. Robertson.

The charge under which the indictment was returned by the grand jury is one charging the defendant with the embezzlement of a note for \$1,500 made by Luke L. Wiles which was executed, the state claims, Parmele. A portion of an indebtedness owed by Mr. Wiles to Mrs. Daisy Douglas and which was appropriated by the defendant without the knowledge or consent of the maker of the note.

Luke L. Wiles was called to the stand and his note was read: \$1,500 made payable to Charles C. Parmele, signed by Luke L. Wiles, stamped paid Nov. 2, 1921, endorsed by Chas. C. Parmele. Witness had talked with Parmele in back room of Bank of Cass County. Parmele had said Mrs. J. E. Douglas had \$3,500 she wanted to loan on farm. Mr. Parmele had said she wanted to get \$1,500 that witness owed her to make up \$5,000. Had told Parmele to apply \$1,500 on the Douglas note of \$5,000. Had not talked with Mrs. Douglas prior to talking with Parmele. Attention had been called to note in late summer of 1921. Note was stamped paid in November 1921. Notified by either Mr. Patterson or Mr. McClerkin. Proceeds of note had not been applied on note of witness to Mrs. Douglas. No part of note paid as yet. The Bank of Cass County held the note at the time paid by Wiles had said bought the note from Omaha. Witness had seen Mr. Parmele on the street before paying the note. Said Mrs. Douglas had decided not to buy land mortgage and did not want \$1,500. Witness had asked for money back. Parmele had said would see Geo. Dovey and arrange for the money. Parmele had not paid the note as yet.

Witness had no business with Dovey or he with the witness prior to making the note, Parmele was not an agent of the witness.

On cross examination witness stated Parmele had loaned him money to buy place. Mrs. Douglas had bought the \$5,000 note from Parmele. Parmele had said Mrs. Douglas was going to buy Lathram mortgage. Had been the understanding of witness that Parmele was to apply on the Lathram mortgage the note made by witness. Parmele had said that Mrs. Douglas would allow the amount on loan. Witness had known that Dovey held the \$5,000 mortgage. Witness had gone with Dovey to the office of W. A. Robertson where an agreement had been drawn up. The drawing up of the agreement was shortly after the time Parmele had told him he would see Dovey.

Objection was raised to the introduction of the agreement by the defense and considerable argument had as to the admission of the document. The defense contended that the agreement had secured for Wiles the money. The court stated that in his opinion the fact was that Wiles had made note with the idea of having it applied on the Daisy Douglas note and that if Mrs. Douglas did not sign it the course was to have the note returned to him.

Witness knew that it had been made payable to the order of Chas. C. Parmele.

## Mrs. Joe Sevier, daughter of Mrs. Daisy Douglas, now living in Wisconsin, stated she had seen \$5,000 note that Luke Wiles owed mother. Nothing had been paid on the note at all so far.

Mr. Wiles recalled and stated on December 8, 1921, he owned 200 acres of land, worth \$300 per acre, and eighty head of thoroughbred cattle.

R. F. Patterson, former cashier of Bank of Cass County, stated he had known of signature of Chas. C. Parmele. Had first seen the note in the Bank of Cass County. The note, when coming into bank's possession held endorsements. Had been paid about 30 days after coming into bank. Note was paid to Bank of Cass County. Had been paid to Mr. McClerkin.

On cross examination he stated the note had come from the First National Bank of Omaha.

The state rested its case at 4:55.

### Charles C. Parmele, the defendant,

was sworn in at the opening of the morning session. Stated he had lived in this city all of his life. Was in the real estate and banking business. Knew Mrs. Douglas for a number of years. Had a conversation with Mr. Wiles and Mrs. Douglas prior to making note. Talked with Mrs. Douglas in fall of 1920 and later in the Bank of Cass County. The conversation between Mr. Parmele and Mrs. Douglas as to the facts of desiring to make loan was objected to by the state and sustained. Had talked with Mrs. Douglas at her home later. Objections of state to the conversation between witness and Mrs. Douglas was sustained. Had conversation with Wiles in November, 1920, on the street. Witness told Wiles that Mrs. Douglas had \$3,500 that she wanted witness to loan at 8 per cent and he had told Wiles he could get loan for \$5,000 at this rate of interest and wanted Wiles to pay \$1,500 on his note to Mrs. Douglas so he could complete the larger loan. Wiles had said he would give a note. Later talked with Wiles in Bank of Cass county and had made out note that was to have been applied on loan. Later told Wiles that Mrs. Douglas would give him credit if she secured the larger mortgage. Witness had secured the \$5,000 mortgage.

Witness had again seen Mrs. Douglas a few days later at her home. The state objected to the conversation and was sustained by the court. The state also objected to the testimony should be admitted to show that defendant had not committed any breach of trust. Received check from Mrs. Douglas a short time after the incident of the Wiles note. Had bought the note from Mrs. Douglas with the money of Mrs. Douglas to buy the Lathram mortgage, so he stated to Mr. Wiles. Told Wiles that Lathram mortgage was held in the First National Bank of Omaha. Had taken the Wiles note to Omaha with Mrs. Douglas check and secured the mortgage and note. Had delivered the mortgage and note of Lathram to Mrs. Douglas. Attorney Wright read the mortgage of C. R. and Goldie Lathram to the property, certified to by the register of deeds. Had told Mr. Wiles what he had done with the note of Wiles. Had told Mrs. Douglas that he had bought mortgage for Mrs. Douglas and that she would give him credit. Wiles had said it was all right. Witness had met Wiles on the street and Wiles had said he received money and interest for his note. Witness had no interest in the Lathram mortgage. Had received no benefits from Wiles note.

On cross examination witness stated the Lathram note had been in the First National bank of Omaha. Mortgage had been made out to George Dovey for \$5,000 and proceeds of sale was to have been used to take up paper of Bank of Commerce, owned by Lathram. The note of Wiles had been made out to Mrs. Douglas. Had taken note of Wiles to Omaha and secured mortgage and did not secure the endorsement. Witness stated that paper of Mr. Lathram was that of a note of \$8,000 held in the First National bank of Omaha, the note at mortgage of \$5,000 was not there at that time. Wiles had no interest in the Lathram note and mortgage. Had talked with Wiles after he had discovered that he had not been given credit. Had not said that Mrs. Douglas would not give credit. Did not try to secure credit. At the time that Mrs. Douglas had declined to credit Wiles the note of Wiles had been in the First National bank of Omaha. Had known the Wiles had received 8 per cent on settlement instead of six per cent. Witness had not paid the \$1,500. Had not returned the note to Wiles. Did not know whether the Wiles note had been paid after indictment made by grand jury. Had told Wiles to go and see Dovey after he had discovered that he had not received credit on Douglas note. Wiles had not come to witness and demanded note or money and was entitled to credit. Witness had been officer of Bank of Commerce. Bank had belonged to his brother entirely.

On re-direct by Mr. Wright, Mr. Parmele was again shown check of Mrs. Douglas, made payable at First National bank of Plattsmouth for \$3,500. Witness had used proceeds of check. Mr. Lathram and Mr. J. P. (Continued on Page 6)

## JURY RETURNS GUILTY CHARGE ON SIX COUNTS

### JURY RETURNS VERDICT YESTERDAY AT 5 P. M. IN THE QUINTON CASE.

## ACQUITTED ON TWO COUNTS

### Found Not Guilty of Protecting the Bootleggers; Guilty Charges Fees and Reports.

### From Wednesday's Daily—

Yesterday afternoon was brought to the close one of the most hardy fought cases of the last few years in the district court here and one that has attracted state wide attention, when the jury in the case of the state of Nebraska vs. C. D. Quinton, former sheriff of Cass county, returned a verdict at 5 o'clock finding the defendant guilty on six counts and not guilty on two.

The case was commenced on Tuesday, January 15, before Judge A. C. Troup, of Omaha, and was continued through last week and given to the jury Monday evening at 6 o'clock. There were a large number of witnesses called by both the state and the defense covering all angles of the issues in the case that had been prepared in the indictments voted by the grand jury against the sheriff in November, 1923.

The counts on which Mr. Quinton was found guilty embrace those charging him with having failed to make his reports on the first Tuesday of January, April, July and October of the years 1922 and 1923; of having failed to make a correct report of fees earned in the office; of having failed to keep a proper record of fees and of having failed to report and turn over all moneys that had been received in his office.

The jury acquitted Mr. Quinton on the two counts that cover the charges in the indictment of having had knowledge of the illegal sales of liquor by Walter Sans and Julia Kaufman and having knowingly protected them in their business.

The jury had retired to its room Monday evening at 7 o'clock to deliberate on the verdict and continued there until 10:30 Monday evening when they were allowed to retire by Judge Troup and yesterday morning at 8 o'clock again commenced their deliberations that lasted until 5 in the afternoon when they returned the verdict as shown above.

The jury was polled in open court at the request of the defense and gave the verdict as their expression of the issues of the case.

The defense will file a motion for a new trial that will be heard by Judge Troup at a later date.

Under the provisions of the verdict of guilty as expressed by the jury it is thought probable that the county commissioners will appoint a new sheriff to take over the office until the next general election, as the verdict of the jury carries with it a fine and also removal from office. During the period pending the trial of the case the office of sheriff has been filled by E. P. Stewart, who was appointed by Governor Bryan at the time Mr. Quinton was suspended from his office, pending the hearing of the indictments voted by the late grand jury.

Continuing the cross examination in regard to the use of confiscated cars by the defendant, which was in progress when the Journal went to press Saturday afternoon, and part of which was included in our Saturday account of the trial, Mr. Quinton admitted he had taken out a license for a Ford car as sheriff. Had given car over to use of Holmes and Anderson. Did not know how late Mr. Holmes had been using this car.

Witness said had taken out no license on Star car. Had got a car in January, 1923; did not remember how long he had used it. Car was later sold under direction of court of Justice Weber. Holmes was using car near Union; had been turned back to roadmen. Had been having correspondence with attorneys for parties in Omaha claiming ownership of one of confiscated cars.

Mr. Quinton said he had asked for a deputy last January. Had also asked prior to January, 1923. Asked by commissioners if would appoint man from central or western part of the county.

Took possession of living apartments at jail when built in 1914. Declared no one of commissioners had ever asked him about giving up quarters and jailor's fees. Commissioners had never refused to appoint deputy sheriff.

In reply to question by Patrick, defendant said he had taken a vacation last summer. Said he had not been out on official business every night, neither every day. Had made charges for long trips to the country. Declared Grebe had done a great deal of work. Admitted if he had served (Continued on Page 2)

## ASKS FOR DIVORCE

### From Tuesday's Daily—

A petition has been filed in the office of the clerk of the district court by Lillian Harner, thru her attorney E. A. Smith of Omaha, asking that she be given a decree of divorce from Isaac Harner. The petition of the plaintiff alleges that the defendant had neglected and refused to provide the proper food and clothing for the plaintiff and her children and also refused to secure fuel and have the furnace in the home repaired. The plaintiff further alleges that the parties were married at Nebraska City on June 29, 1907, and that the defendant is worth the sum of at least \$50,000 and amply able to make provisions for the plaintiff. The parties reside at Weeping Water.

## SHERIFF STEWART MAKES CAPTURE OF BOOZE SATURDAY

### Arrests Party With Liquor and Cascarates Car in Which Parties Were Riding at the Time.

### From Monday's Daily—

Late Saturday evening Sheriff E. P. Stewart made the capture of a small amount of liquor being transported in an auto from Omaha to this city and as the result placed the party under arrest and as well took over the car that was owned by the gentleman who acknowledged the ownership of the booze.

The car was stopped near the Platte river wagon bridge and a search of the vehicle revealed the fact that there was in the car two quarts of liquor that was taken by the sheriff and by him turned over to the county attorney as evidence in the case and the car driven on to the city where the matter was held before County Attorney Cole.

Justice William Weber was called to the court house and a trial of the party charged with the transportation, James H. Trippe, was held in the office of the county attorney. Mr. Weber assessed a fine of \$100 and costs on the defendant and ordered the car, a Chevrolet touring car, taken over by the county and to be sold at public auction by the sheriff at a later date.

## TAKEN TO SARPY COUNTY TO ANSWER FOR LAW VIOLATIN'

### William C. Grebe and F. A. Holmes Arrested Here Saturday and Taken to Papillion.

### From Monday's Daily—

Late Saturday afternoon the sheriff of Sarpy county arrived in this city and had with him warrants charging William C. Grebe, former constable, and Fred A. Holmes, evidence man for the state law enforcement department, with four counts involving two charges of usurpation of office, one of assault and battery and one of false arrest.

The charges were on both of the men and they were taken by the sheriff to Papillion where they were arraigned before the county judge there. The two men entered a plea of not guilty to the charge and were released on a bond of \$5,000 each to appear at the preliminary hearing which is set for today.

The offenses charged against the two men occurred on November 4 and November 28 in Sarpy county and the assault and false arrest alleged in the complaint were committed on a man named Swartz.

## GIVES DINNER FOR HUSBAND

### From Tuesday's Daily—

A large number of the old time residents of Murry and vicinity were entertained very pleasantly on Wednesday, the 16th of January, at the J. W. Berger home at Murry when Mrs. Berger entertained in honor of the seventy-eighth birthday anniversary of Mr. Berger, who is one of the old and highly respected residents of that locality. The afternoon was spent in visiting and discussing old times when the members of the party were all young. Those attending the occasion were: Messrs. D. J. Pitman, V. A. Kennedy, C. J. Tison, John Campbell, J. W. Edmunds, Charles H. Boedeker, H. C. Long, Ben Beekman, William Puls, Sr., B. A. Root, D. C. Rhoden, S. G. Latta, E. Richter, D. A. Young, Charles Carroll, R. R. Nickels and the guest of honor, J. W. Berger.

Mrs. Berger was assisted in entertaining by Mrs. J. H. Brown and daughter, Miss Catherine.

## S. W. FLOWER CLUB

The Social Workers Flower club will meet on Wednesday, January 23 with Mrs. Fred Nolting. A large attendance is desired.

Lost anything? Advertise it.

## WM. BRANTNER DIES FROM AUTO MISHAP

### OLD TIME RESIDENT OF THIS CITY STRUCK BY AUTOMOBILE LAST NIGHT.

## ACCIDENT ON CHICAGO AVENUE

### Rear Wheel of Car Driven by Fred Trilety Strikes Aged Man and Knocks Him Down.

### From Monday's Daily—

William Brantner, one of the oldest residents of this city, was the victim last night of an auto accident which resulted in injuries from which he died while on his way to the University hospital in Omaha.

The accident occurred some twenty feet east of the corner of the pavement on Chicago avenue and in a very dangerous place as there is no sidewalk along this stretch of the highway and the pedestrians have to walk in the roadway which makes it very dangerous for both the pedestrians and the drivers of cars.

Fred Trilety was driving north with a Ford sedan and states that when near the street light he saw a man walking in the roadway who apparently was unconscious of the approach of the car as he had his head down and was walking in the direction of the approaching car. Mr. Trilety was alone in the car and states that he turned out to the left when near the street light and that on the snowy and icy roadway the rear wheel of the car skidded and the back part of the car swung around toward Mr. Brantner and knocked him down. Mr. Trilety had run his car clear over to the west side of the roadway and got out to look at the unfortunate man lying in the road and found that he was unconscious and apparently in serious shape. Mr. Trilety was unable to handle the injured man and had started toward the residence of C. W. Forbes nearby when the members of the family, attracted by the noise, came out and Glen Niel assisted Mr. Trilety in getting the injured man in the car and took him to the office of Drs. Livingston where an examination of the injured man disclosed a very severe cut on the forehead and a deep and dangerous wound on the back of the head which had caused a fracture of the skull. Mr. Brantner was wholly unconscious and from the nature of the injury it was decided to have him taken to the University hospital in Omaha and the injuries examined by the specialists.

The injured man was hurried to the hospital but died as soon as he reached the institution and before any treatment could be given to him.

Mr. Brantner had been in the city Sunday and late in the afternoon had been playing cards with some friends at the Gaisle soft drink parlor and shortly after 6 o'clock had left his friends good night and started for the Harley Wiles farm south of the city where he was staying and was on his way to the Wiles home when the accident occurred.

The matter of an inquest has not been definitely settled as yet but County Attorney A. G. Cole stated that after an investigation the indications were that the accident was one that the driver of the car had tried to avoid and that the fact that the car had been stopped within a few feet of where the unfortunate man had been struck indicated that the car had skidded when turned out to avoid Mr. Brantner as stated by the young man driving the car.

William Brantner was seventy years of age at the time of his death and was a native of the Old Dominion. He came to Nebraska over fifty years ago and has made his home for the greater part of the time in this city and vicinity. He was a man who had many warm friends of years standing who regret very much his untimely death.

He leaves to mourn his loss one son, M. E. Brantner of Pender, Nebraska, and one daughter, Mrs. Allen J. Beeson of this city, and four sisters, Mrs. T. B. Brown and Mrs. Morgan Waybright of Los Angeles, Mrs. Joe Jeffers of Olympia, Washington, and Mrs. Caroline Snyder of Stanton, Virginia.

There have been no definite arrangements made as to the funeral services by the members of the family. The body was brought back from Omaha last night and taken to the Streight undertaking rooms.

## VISITS IN THE CITY

### From Tuesday's Daily—

Mrs. William Heinrichsen, 223 North 3rd street, had as her house guest yesterday Miss Clara Howell, daughter of Senator and Mrs. R. B. Howell, of Omaha, who is an old friend of Mrs. Heinrichsen. The visit of Miss Howell was very much enjoyed at the Heinrichsen home as the hostess and the guest have been friends for a number of years.

## SUFFERS INJURED HAND

### From Tuesday's Daily—

Yesterday afternoon LeRoy McBride, who is employed in the buffing department of the Burlington shops was the victim of a very serious accident which will place him on the retired list temporarily. Mr. McBride was engaged in operating a buffing machine and was working with a number of electric fan guards that he was buffing and one of these got caught in the machine taking the young man's hand with it and injuring the member seriously. The ring finger of the left hand was injured so badly that it will probably have to be amputated and the whole hand was badly skinned and injured.

## CORONER'S JURY CLEARS CAR DRIVER OF BLAME TODAY

### Fred Trilety Exonerated of Blame in Death of William Brantner Sunday Night.

### From Tuesday's Daily—

This morning a coroner's jury was impaneled by County Attorney A. G. Cole to investigate the circumstances of the death of William Brantner, who was fatally injured by being struck by a car on Chicago avenue early Sunday evening.

The jury impaneled was composed of Frank M. Bestor, D. C. Morgan, H. M. Soennichsen, Austin Ghrist, Dr. O. Sabin and David Ebersole. The jury was taken to the Streight undertaking parlors where they viewed the body and the nature of the injuries that had caused the death of the unfortunate man. They then adjourned to the office of the county attorney where the testimony of Fred Trilety, the young man driving the car that had struck Mr. Brantner, was taken. He related the circumstances of seeing Mr. Brantner walking in the center of the street as he drew near him, of having swung the car out to the left of the road to avoid hitting him and of the fact that the back wheels of the car skidded and swung the back of the car into Mr. Brantner. It had been impossible to turn the car to the right owing to the deep ditch on the right hand side of the paving. The car had been traveling at from 18 to 20 miles per hour at the time and was stopped in a very short distance.

The testimony of A. J. Trilety was also taken as was that of Allen J. Beeson who had viewed the scene of the accident the next day and the situation and the circumstances led Mr. Beeson to the belief that the driver had done all possible to avoid the accident and the skidding of the car was purely accidental.

The jury after hearing the evidence, returned a verdict clearing Mr. Trilety of any carelessness in the accident and that it was an avoidable accident, pure and simple.

## JIMMIE BEGLEY BETTER

### From Tuesday's Daily—

Jimmie, the young son of Judge and Mrs. James T. Begley, has for the past several days been suffering from a threatened attack of appendicitis and was in very serious condition but yesterday was reported as being able to be up and around the house.

## MRS. CAROLINE JOHNSON PASSED AWAY LAST NIGHT

### Death Occurred at the Home Here at 10 O'Clock From Heart Trouble—End was Sudden.

### From Tuesday's Daily—

Last evening Mrs. Caroline Johnson residing on Wintersteen hill, retired about 10 o'clock and at the time seemed in her usual health and the members of the family were greatly shocked a few moments later to find that the mother had passed away, death having come as the result of a sudden attack of heart trouble.

The deceased lady was fifty-eight years of age and was born in Austria and came to America in her youth and for the past thirty-two years has made her home in Plattsmouth. She was twice married, both of the husbands having preceded her in death. The deceased lady has been a very devoted mother and has reared a large family of young men and women who will miss very much her care and attention now that she has been called upon to lay down the burden of life. The children are: Henry Lahoda of this city, Mrs. Frank Schmdier, of Omaha; Charles Lahoda, Omaha; Tony Lahoda, of this city; Joseph Lahoda and Mrs. Dewey Zuckewiler of Miller, South Dakota; Louis Lahoda, of Omaha, and Claude Lahoda and James Johnson of this city.

No arrangements have been made for the funeral as yet, awaiting word from the relatives in South Dakota.

## REBEKANS HOLD THEIR INSTALLATION OF OFFICERS

### Large Number from Omaha Assist in Work of Placing New Officers in Their Stations.

### From Tuesday's Daily—

The Rebekahs last evening held their installation of officers at the lodge rooms in the Odd Fellow building and the session was one of the most interesting and largely attended that has been held in a number of months by this branch of the Odd Fellow fraternity.

To assist in the work the drill team from Omaha was present and installed in the stations the newly elected officers who were: Noble Grand—Mrs. Fred Lumm. Vice Grand—Miss Helen Lutz. Secretary—Sanford Short. Treasurer—Mrs. Sophia Short. The ceremonies were very impressive and the members of the lodge enjoyed very much the fine manner in which the work was put on by the drill team. The last portion of the evening was enjoyed socially in the serving of refreshments that were fully appreciated by all of the members of the party.

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