

The Plattsmouth Journal

VOL. NO. XXXIX

PLATTSMOUTH, NEBRASKA, MONDAY, JANUARY 29, 1924.

NO. 57

ANOTHER CONVICTION ON THE INDICTMENTS

VERDICT OF GUILTY ON ALL THE SEVEN COUNTS AGAINST CARL G. FRICKE

JURY WAS OUT THREE HOURS

Few were Present in the Court Room when Verdict was Read at 6 P.M.—Grebe Case Today.

The jury trying the case of the State of Nebraska vs. Carl G. Fricke, received their instructions at 3 o'clock Saturday afternoon and at 6 o'clock returned with a verdict finding Mr. Fricke guilty of the seven counts of the indictment.

From Friday's Daily—The first witness called by the state in the Fricke case yesterday was Miss Anna Hassler, secretary of the present time, in possession of books and records of the association. Witness shown section of "Minute Book No. 1" of the association, and also "Minute Book No. 2" of the association and identified the same.

On cross examination, Mr. Campbell stated he found a sum of \$300 in cancellation of a loan that did not exist. On the entry of \$2,300 from Dave Sampson claim, the witness stated he found no warrants for this amount, or the Rys claim of \$300. On the number of items, Mr. Campbell stated that one item of the total of the receipts was correct in form, but false in amount. Stated to Mr. Rose that the item had been made possibly to correct an error.

On re-direct, Mr. Campbell stated that a paid up stock certificate was canceled by either warrant or new issue, as questioned by Mr. Thompson as to the Rys and Sampson items. Said on May 12, 1921, A. V. Rys wished to draw \$400 on his holding. He was given warrant for same, his \$1,000 certificate canceled and new certificate for \$400 issued. On June 20, 1921, the \$600 was drawn out and paid by warrant, that canceling the holdings. Entry of \$300 was entirely false witness said.

Exhibit No. 10 was certificate of David Sampson for \$2,000. On May 26, 1921, \$1,500 was withdrawn by warrant issued for amount together with new certificate for \$1,500. Additional item of \$600 false. Stated above two items, \$300 for Rys and \$600 for Sampson, increased the liability of the association \$900. The entry in the journal of \$2,400 is a false entry as showing the entry on November 17th, of \$5,250. No basis for entry. The entry reflected the several balances and showed a smaller capital stock liability.

Anton V. Rys was next witness to be called by the state. Stated he was a stockholder in Livingston Loan and Building association; had received \$400 on stock certificate for \$1,000 which was canceled and another for \$600 issued instead. Witness had later been given warrant for \$600 on May 19, 1921. Had not been paid \$300 or in June, \$200. Had given up his \$1,000 certificate for cancellation at time received \$400 warrant.

A. L. Tidd next took the stand for the state. Stated was at this time a director of the Livingston Loan and Building association. Knew C. G. Fricke, who officer of the company. Identified list of stock shares in the record which had been made by Mr. Fricke.

The testimony of Mr. Tidd covered very thoroughly the audit that he had made on the books of the association in conjunction with Frank E. Schlatter and which report the witness stated had been read at the open meeting of the directors of the association. The audit had been from the books, accounts and original instruments in the possession of the association, as well as the private set of books kept by Mr. Fricke himself.

The report had showed a shortage, January, 1921, to January, 1922. The conclusions of the audit were correct as far as possible to secure them. Mr. Tidd stated, The balance showed as owing the association by the secretary for this period was \$6,861.40. Mr. Fricke had asked the witness to assist in the audit of the books. The witness had not made a separate account of the paid up stock as all items were included in a lump sum in the general audit.

Mr. Tidd described the ledger as being so inaccurate that from this alone an accurate check-up could not be made. Witness said he had discovered the system of keeping books, Mr. Fricke having kept two sets of books, one in the private books and one recorded on the books of the association, but all items paid out were entered on the books of the association. Many mortgages were carried on the books as assets after they were paid off. Payments were sometimes entered on the private books and Mr. Fricke not on the loan association books. The money of the association had in 1921 been deposited in the First National Bank and later in the Plattsmouth State Bank.

There had been a written instrument made in settlement between the defendant and the association. Some of the private set of books had been turned over to the association. Mr. Fricke had told witness that some of these books had been burned; some of them for each year were missing.

Witness said Fricke had charged himself with sums he should not at different times. Witness denied that he had in his audit, charged the secretary with any sums he should not have been charged with.

L. A. Greenfield testified that he had made an audit of the books of the association in May and June, 1922. A. C. Hancock, attorney for the defendant, had hired him to make the report. The report had covered five years back and the attorney for the defendant had told him not to go back any farther. The report had showed discrepancies of \$53,313.73, as well as \$2,000 in Liberty bonds not accounted for. On cross examination he stated that in the Hancock matter an item of \$500 should not have been charged to Mr. Fricke. The Cotton loan had been settled by the turning over of a deed to the association and selling the property to Rev. J. H. Steger. There had been a profit of \$200 for the association in the deal.

G. M. Campbell, who was the accountant of the state, testified as to his examination of the books of the association and as to the various entries and credits made by the defendant. These covered the paid up stock certificates of Anton Rys and David Sampson. In the Rys case the auditor stated he found a sum of \$300 in cancellation of a loan that did not exist. On the entry of \$2,300 from Dave Sampson claim, the witness stated he found no warrants for this amount, or the Rys claim of \$300. On the number of items, Mr. Campbell stated that one item of the total of the receipts was correct in form, but false in amount. Stated to Mr. Rose that the item had been made possibly to correct an error.

On cross examination, Mr. Campbell stated that there were large withdrawals in August, 1921, by the stockholders. He also testified that the changes made by the handling of stock did not affect the status of the grand total of the liability. It was true that the entry charged as false might have been correct, also the counter balance entry might have been in error.

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PETITIONERS FOR NORRIS ARE MAKING SELVES HEARD

C. A. Sorenson Files Nominating Petition Containing Names From Seventy-two Counties.

From Saturday's Daily—C. A. Sorenson of Lincoln, formerly prominent in nonpartisan league affairs in Nebraska, filed a petition of more than 6,000 names with Secretary Pool Friday. The petitioners ask that the name of Senator George W. Norris be placed on the primary ballot April 8 as a republican candidate for re-nomination. Mr. Sorenson filed the necessary receipt from the treasurer of Red Willow county showing that a fee of \$50 had been paid as required by the primary election law. Mr. Sorenson said the money had been contributed by friends whose names he did not give.

Secretary of State Pool accepted the petition and receipt for the filing fee. As the law requires only twenty-five petitioners to nominate Mr. Pool will not scrutinize the big petition very closely. A few petitions are not exactly in legal form, the name of the postoffice address of the signers not being given in some cases.

Mr. Sorenson had no information to impart in regard to Senator Norris' intention. The primary law allows five days in which one nominated by petition may file an acceptance in writing. Without an acceptance a nominating petition is of no effect.

Most of the petitions contain twenty-five names. Seventy-two of the ninety counties in the state are represented in the list. No petitions were filed from some of the smaller ones. There are none from Arthur, Banner, Brown, Cedar, Chase, Cherry, Cheyenne, Colfax, Garden, Garfield, Grant, Hayes, Hooker, Kimball, Loup, Pawnee, Richardson, Sarpy, Sioux, Thomas and Wheeler.

Douglas county petitioners number 600. From Lancaster county ninety-two names were filed among the electors of Lincoln who signed are D. L. Love, Cal Thompson, E. C. Ames, Lute H. Morse, J. C. Pentzer, Fritz Westerman, W. H. Gardner of University Place heads one petition.

Among the state employes at the capitol who signed are John Spangler, assistant superintendent of public instruction, and T. J. Fiegenbaum, Ralph C. Lawrence and Olive M. Millen of the state auditor's office.

Wayne county presented nineteen separate petitions, each containing twenty-five or more names. Red and the home county of Senator Norris, presented seventeen separate petitions. Custer county presented nine petitions.

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The research work of the state geologists has been developed to the point where they are of the opinion that the best prospects for oil in the state can be found in this section of the state and primarily in Cass county, where the formations are more nearly like those found in the large oil fields and which have led the state experts to hope that the drilling here will result in the discovery of oil in sufficient quantity to justify their deductions.

The experiment is well worth trying and the gentlemen who are here and willing to risk the large sum necessary to sink test wells should be given every encouragement, as they have made arrangements to risk a large sum in the sinking of the wells and the result if successful will be a great boom for the whole county and its people and if not successful, will not do any damage to the community.

The discovery of oil would bring wealth to many of the Cass county people and enrich every part of the county and from the general sentiment expressed there is no doubt that the experiment is desired by almost everyone.

VISITORS AT THE JOURNAL

From Thursday's Daily—Yesterday the Journal office enjoyed a visit from a number of the gentlemen who have been here giving the county such excellent service as members of the jury panel, being Ralph Dorr of near Wabash, William Rikill, A. A. Lindell and Geo. E. Buehl of near Murdock, all of whom renewed their subscriptions to the paper and also Watson C. Jones of near Elmwood, who enrolled for the paper so as to have this necessity in his household in the future. The visit was most appreciated and the boys will always find the latch string out at the Journal for their pleasant visits.

GET-TOGETHER PARTY ENJOYED BY GOOD SIZED CROWD

Ex-Service Men, Wives, Sweethearts and Friends Present—State Vice Commander Here.

From Friday's Daily—Despite the handicap of bad weather and impassable roads, last night was a gala occasion at Coates hall, when some sixty ex-service men and their friends and families gathered for the social which was arranged for the Legion post and auxiliary. The hall had been beautifully decorated and presented a very pleasing appearance. The committee of the Legion arranging the social was composed of Fred Lumsby, Frank Smith, R. C. Reed and W. G. Kleck and for the auxiliary a good number of the members lent a helping hand.

Dancing was one of the popular forms of entertainment and from early in the evening until "Home Sweet Home" a lively and spirited waltz and orchestra found little time for rest, except during the short program that included a brief address by State Vice Commander Bob Orinick of Nebraska, who in a limited time touched upon the salient objectives of the Legion, its need for greater membership and the various ways in which the ship and the various fight being made against adjusted compensation by the big business interests of the nation.

Present last night were and asked the auxiliary a good number of the members lent a helping hand. During the evening, refreshments of ice cream, wafers and Tricolored coffee were served by the auxiliary members and everyone had a most pleasant time.

It is planned to hold more such get-together parties in the future, as the expense is small compared with the opportunity it affords the former service men to mingle together and become better acquainted.

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WOODMEN HAVE A FINE TIME AT GILROY LECTURE

E. E. Kester, State Deputy, Present and National Lecturer Gilroy Gives Main Address.

From Friday's Daily—The Modern Woodmen of America held a very interesting meeting at their hall on Wednesday evening that was very largely attended by the membership of the order and one of the most enthusiastic gatherings that has been held for some time.

The members of the camp had with them last night E. E. Kester, state deputy who showed moving pictures of the great home of the order in Colorado for their members which was a revelation to the members of the local camp.

The chief address of the evening was by National Lecturer Gilroy of Canton, Illinois, who told of the work of the order in the years of its existence and the benefits that were secured to the widow and orphan of the Woodman by the protecting care of the membership and the care that the order gave to its membership in sickness and misfortune.

At the close of the meeting a smoker was enjoyed as well as refreshments that proved a very pleasant feature of the occasion.

GREENWOOD IS SWEEPED BY SERIOUS CONFLAGRATION

Blaze Originating in First National Bank Building Does Damage to Other Buildings.

From Thursday's Daily—The city of Greenwood in the extreme western portion of Cass county was swept by a very destructive fire that will result in a loss estimated at from \$25,000 to \$30,000.

The fire was discovered shortly after 6 o'clock when the burglar alarm on the First National bank commenced ringing and the residents of the city hastening to the scene found the bank in flames and the blaze rapidly spreading to the post-office building just in the rear of the bank building and the Smith drug store that adjoins the bank on the other side.

The cause of the fire has not been determined at this time and reports from the unfortunate city state that there is some insurance carried on the buildings but the exact amount cannot be given.

CASS COUNTY PIONEER DIES IN CALIFORNIA

From Friday's Daily—On last Saturday the sad message was received by Mr. and Mrs. G. H. Eveland of this place announcing the death of Mrs. Peter Eveland. No particulars concerning her death were given but it is supposed that death came very suddenly. A letter was received only a short time before by Mr. and Mrs. G. H. Eveland stating that their family were enjoying the fine climate of Long Beach, Cal., and especially Mrs. Eveland was enjoying it. It also mentioned the fact that she was enjoying a piece of head work which she was doing and was taking great delight in it.

Mr. and Mrs. Eveland and daughter, Nora, had gone to California to spend the winter, having spent a winter or two there before and greatly enjoying the climate and pleasures of that state.

Mrs. Eveland was one of the early residents of Cass county. The Eveland farm is located near Murdock and Mr. and Mrs. Eveland lived here for many years. A few years ago they celebrated their golden wedding at their fine home on this farm. They sold their land to J. J. Gustin and purchased the Dr. J. M. Neely residence property just north of the business section in Elmwood which they had beautifully remodelled and have since made their home.

The remains are being brought back from California and the funeral services will be held on Saturday—Elmwood Leader-Echo.

Mrs. William Batterson and brother, Percy Wheeler, came in this morning from their home in the vicinity of Murray and departed on the early Burlington train for Omaha to spend the day.

IS RE-ELECTED PRESIDENT

From Friday's Daily—At the annual meeting of the board of directors of the Nebraska Masonic Home association held in Omaha on Wednesday, our fellow citizen, James M. Robertson, was honored in being re-elected to the office of president of the association for the next year and the members also discussed the plans for the new improvements at the Home in the coming year. Mr. Robertson has been a most efficient president of the association and his many admirers over Cass county will be pleased to learn that he is to carry on the work of the association during the important period that is covered by the session of the new building at the home in the coming summer.

OIL DRILLING MACHINES ARRIVE AT NEHAWKA TODAY

Drilling will be Commenced at Early Date if Remaining Land Can be Leased in Locality.

From Friday's Daily—The much looked forward to experiment as to whether or not this section of the state might have oil bearing deposits in the soil, has moved forward with the arrival at Nehawka of the drilling machinery, and now nothing stands in the way of the development of the plans of the oil promoters and the Cass county people who have become greatly interested in the promising prospects held forth as to the possibilities of the finding of a paying oil field in this locality, except the closing up of a few more remaining leases that Mr. George Kerr would like to have closed up before actual drilling is started.

The machinery was sent here from Hardin, Montana, by the Sullivan Machine company, and consists of a late type core drilling machine that will be used to sink the well should it be found advisable to go on with the work here in this county. This machine is one of the best used in the oil business and should it develop that the additional land cannot be leased, Mr. Kerr states that the drilling outfit will be sent on to a prospective point in Colorado, where Mr. R. M. Ruby has recently located an oil prospect and near where a large Texas company recently struck a paying well of 3,000 barrels a day.

The drilling in this county, Mr. Kerr states will be at a point some distance between Nehawka and Murray if the arrangements can be satisfactorily made and will be carried on to fully test the theory that has been advanced by the experts and the staff of the state university under Dr. Conrad, who have had the greatest faith in the possibilities of this locality as an oil bearing strata, from their surveys and deductions.

HENRY MILLER DIES AT WAHOO

From Friday's Daily—Word was received in Murdock on last Thursday morning announcing the death of Henry Miller of Wahoo, 78 years of age, and a brother of C. L. Miller of Murdock. Mr. Henry Miller had a large family of children, seven in number, all grown and married. He leaves his aged wife to mourn his departure. No word had at the time we were in Murdock been had as to the cause of the death. The funeral occurred on Friday of last week the burial being near their old home. Mr. Miller was a member of the Methodist church from which place the funeral was conducted. Uncle C. L. Miller was not able to get over to Wahoo to attend the funeral as his health being rather delicate and it was thought the rigor of the trip would be too much.

AN APPRECIATION

To our many kind friends and neighbors here in the old home we desire to express our deepest gratitude and appreciation of their many acts of kindness and sympathy shown us at the death of our father, and for the floral tokens of esteem.—Mrs. Allen J. Beeson; Edward Brantner.

Advertisement for The First National Bank, featuring a cow, hog, and hen, and the slogan 'Three Loyal Friends!'. The ad includes the bank's name, location (Plattsmouth, Nebraska), and the slogan 'The Bank Where You Feel at Home!'.

(Continued on page 3.)