THE LAST JURY CASE RESULTS IN CONVICTION

(Continued from Page 1)

to the side of the roadway to fix it. The witness and assistants had moved the car to one side to permit the traffic to pass and that several cars had passed them going and coming from the bridge, including one occupied by T. H. Pollock, owner of the bridge.

A man had come through with a truck in a hurry and this caused a slight stoppage of traffic for a few minutes. The lady at the bridge had urged them to hurry and witness had said he would get out of the way just as soon as he could repair the tire, and at the time had a jack under the car and working at it. They had moved the other cars back out of the way also to permit traffic to pass. Just about that time Joe Thompson had come out and conversed with the men and the witness and had urged them to get the car out at once. Witness stated he had not cursed at the lady or used rough language toward her or Mr. Thompson. Mr. Thompson had been rather gruff when he first came out, but later had talked very pleasantly to the members of the party.

They were conversing when Grebe came up, witness said. Defendant had gotten out of a car that contained two other men and rushed up about fifteen feet in front of the other two men and had told witness he would have to get the car out of the way right away. Witness had told Grebe that he had the tire about fixed and Grebe had said he would have to move the car at once and witness had said he would as soon as he could get the jack out from under the car, and at that time Grebe had struck him in the face. Witness was leaning on the left hand side of the car at the time. The blow from Grebe had cut the inside of his mouth and raised a welt on his face. Grebe had shown his star after striking witness. He had not said he was an officer before, and the witness did not know him. After the striking of the witness the other two men with Hayward had gotten the car off the jack. Witness did not know the two men with Grebe. Grebe had asked the witness where he had secured the cars and also for the bills of sale and which the witness had turned over to Grebe who had looked them over and did not find anything wrong until he reached the one covering a Dodge car that the engine number failed to correspond with the bill of sale. Grebe had said it was a "hot car," and that witness and his party would have to go back to Plattsmouth. Witness had requested them to call Mr. Petring about the car and Grebe and his party had gone to the toll house to call and that when they had come back they had said that Petring had said it was all right, but that they would have to go back to Plattsmouth.

Grebe had asked witness if he had any money with him and he had asked Grebe how much he wanted, and Grebe had again inquired as to how much he had, said was for a bond. All of the party had then got into the cars and come back to Plattsmouth and arrived at the court house about 5:30, and County Attorney A. G. Cole said he was going to dinner and to come back at 7 o'clock.

The first thing that Mr. Cole had done was to call Petring and who had told them in the office of the county attorney that the car in which there was a question of a number had been taken up some time before and the owner paid by the insurance company, and the car later sold.

The county attorney had said there was evidently no obstruction of the traffic as the result of the car being stopped by Mr. Hayward to repair the tire. Mr. Cole had then turned to Grebe and asked if there was anything alse against witness. Grebe had said, "What about them driving with the paper numbers?" Mr. Cole had said this was not according to law and they had no right to operate a car in that manner. Mr. Cole had said he would recommend a minimum fine if witness would plead guilty; had asked as to fine and was informed it would be $1 and costs. Someone had gone out and secured the justice of the peace and Mr. Cole had given him some papers to sign as well as the witness. The fine of $1 and costs had amounted to $12.50, which the witness had paid, as he did not have time to go out and hunt up a bond. The witness stated that he had not threatened or offered to strike Mr. Grebe.

Hayward was turned over to Mr. Tidd for cross examination as the court recessed for the noon hour.

During the course of his cross examination, witness testified that he did not swear at the lady. Lady had gone in and Mr. Thompson came out and he had told him what sister said about getting two rear cars out. Had not heard Thompson call officers. Heard Thompson say wanted car out of the way as Grebe and others came up. Had asked Grebe about getting tire on the car. Did not move the car out of the way as Grebe and others came up. Had asked Grebe about getting tire on the car. Did not move the car as had it up on the jack. Had told Grebe that lady had said they could fix tire and move other two cars back some distance. First question that Grebe had asked was, "What is the matter?" Had not told man with whom he rode back to Plattsmouth that he had come pretty near hitting Grebe.

Mart Elliott was next sworn and stated he lived in Omaha where he was associated with Hayward Motor company. Said was driving second car, just behind that of Mr. Hayward on day of assault. Had stopped at bridge and lady had told Hayward about the tire; had told him to back car to one side to fix tire. Said two cars could pass there. Witness was working on the cars when someone came out and said would have to get car out of the way. They were preparing to back up farther when officers came up. Was jacking car up when Grebe and companions came up. Grebe had struck Hayward and told witness to get in and drive car off, or he would "bust" him too. Hayward had given officers the bill of sale. Grebe had said was a "hot auto." Had gone up to the office of County Attorney Cole on their return to Plattsmouth. Had not heard Hayward indulge in any cursing. Could see all that transpired between the man Grebe and Mr. Hayward. Had not heard Hayward swear during his acquaintanceship with him.

On cross examination Elliott admitted had paid a fine here for operating a car without a proper license. Grebe was between witness and Hayward when blow was struck. Mr. Thompson had not been angry that he knew of. Did not pay much attention to conversation between Thompson and Hayward. Car was parked some thirty feet south of approach to bridge. All had helped move the Hayward car. Two cars had rubbed fenders in passing.

Edward Stennet, the next witness, testified he was connected with the Hayward Auto company and was here on October 23rd, driving the last car in the bunch bought by Hayward and being taken to Omaha. Lady at the bridge had told Hayward he had a flat tire. Were some thirty feet from bridge when stopped finally. When stopped, cars were coming through in single file. A truck had bumped into another car. Thompson had come out and said would have to get out of way. Witness was backing up cars. Saw Grebe strike Hayward, who threw up his arms. Grebe was yelling around the place. Witness had gone to Grebe and said, "Tell us what you want us to do." Had gone to town to see Petring and told Grebe that garage man said it was all right. Grebe had said, "We'll take the whole d-d outfit to Platts." Hayward had not sworn. Thompson and his sister had been excited but not angry. Was 9 p. m., when left this city for home. Trouble at the bridge had been at 1:30. Miss Thompson had come out when truck had rubbed another car.

On cross examination Stennet said one man had a star. Had come back to Plattsmouth before Hayward and Elliott. Did not know positively that he had talked with Grebe over the telephone. Had just got out when Grebe had come up. Had talked with Anderson. Grebe had yelled at Hayward, "What are you doing there?" Traffic was not blocked only when stopped to pay toll.

On re-direct, witness say he did not hear Grebe say he was an officer. Grebe had shown star after striking Hayward. On cross examination, witness said he did not hear any of the conversation.

T. H. Pollock, owner of the Platte river auto bridge was next witness called by state. Had passed scene of trouble en route from Omaha to this city. Had seen three cars by the roadside; saw man working on the tire; on the east side of the road, 12 or 14 feet space on the west. Two cars could pass there if careful. Miss Thompson had told him cars were those of Mr. Hayward. Tol keeper had not complained to him of the cars obstructing the roadway.

On cross examination Mr. Pollock fixed the time as being between 1 and 2 o'clock. Was not there when Thompson had called officers.

LOCAL NEWS

From Monday's Daily—

T. D. Lane, of Bellevue, who was here to visit with friends for a short time, departed this morning for his home.

C. K. Frans, of near Union, was in the city Saturday for a few hours looking after some matters of business.

C. G. Fricke departed this morning for his home at Nelson, Nebraska, where he is engaged in the coal business at this time.

Charles Troop departed this morning for Omaha, where he spent a few hours visiting on the live stock market at the South Side in regard to matters in which he was interested.

A. C. Mutz, who has been one of the big boosters for the lands in the valley of the Rio Grande in Texas, returned home Saturday from the southland, where he led an excursion of nine persons to enjoy the scenes of the south and to look over the land there.

From Tuesday's Daily—

C. A. Gauer and wife of near Cedar Creek was here today for a few hours looking after some trading with the merchants.

A. L. Becker of Union was in the city today for a few hours looking after some matters of business and visiting with friends.

A. A. Lindell of Murdock, one of the efficient members of the last jury panel, departed this morning for his home in the west part of the county.

George Decker, who has made his home here for the past few years, has departed with his family for Stanton, Nebraska, where he will be interested in a garage in that place.

Fred Stewart, who was injured a few weeks ago by falling and breaking his ankle is now up and around and expects to be able to resume his duties at the Plattsmouth Steam Laundry next Monday.

Herman F. Comer of near Union, who has been here visiting for the past week and serving as a member of the jury panel, returned home last evening after having faithfully discharged his duties as a member of the jury.

C. C. Parmele departed this morning for Omaha where he will attend the funeral of George Nelson, well known California land man, who is being brought to Omaha, his old home, for burial. Mr. Parmele while at Long Beach was employed by Mr. Nelson.

From Wednesday's Daily—

Adam Meisinger of Louisville was here today for a short time, making the trip via the Burlington on account of the bad roads.

Attorney C. E. Tefft of Weeping Water was here today looking after some matters in the district court in which he was interested.

C. D. St. John of near Nehawka was here today for a few hours looking after some matters of business and visiting with friends.

Mrs. E. Geeseman and children dedeparted this morning for Ansley, Nebraska, where they will visit for the week end with their relatives in that city.

Charles Kupke and son, Carl, of Murdock, were here today for a few hours attending to some matters of importance in the office of County Judge Beeson.

Don H. Sievers has been appointed as the manager of the Farmers' elevator at Cullom and departed this afternoon for that place to look after his duties there.

Earl Hohenshell departed this afternoon for Greenwood where he will spend a few hours there with home folks and enjoy a short outing from his work at the Burlington station.

Miss Lucille Powell departed this morning for Syracuse, Nebraska, where she will visit for the rest of the week at least, looking after the care of her grandmother who is quite poorly there.

Henry Scheel, one of the leading young farmers of the vicinity of Murdock, was here today for a few hours. Owing to the bad condition of the roads Henry made the trip by train from Louisville.

R. M. Loveland of Sedgwick, Colorado, who has been at Glenwood attending the funeral of his mother, came over last evening to spend the night here visiting with George M. Hild and family. Mr. Loveland was employed here by Mr. Hild some some twenty years ago.

MANY BUY GOOD COWS

From Tuesday's Daily—

At the sale last Saturday held by Messrs. E. E. Leach and Rex Young there were many good cows disposed of and some brought very satisfactory prices. One cow purchased by J. H. Ruhman went to $200 while he paid $150 for another. Mr. Ruhman knows a good cow when he sees one and feels when he has put a good price in a good cow that it is money well invested. They are Holsteins and the one for which he paid the $200 for is now giving 60 pounds of milk every day which is some evidence of her worth. It costs no more to keep good cattle than it does to keep the scrubs and the returns are always twice as much. Among others who purchased some of these good cows are M. Lynde, Roy Head, Frank Eaton, while William Troop purchased two. It is with some degree of satisfaction that these cows are going to a good home and to a place where people appreciate good farm animals.

Farmers, machanics, railroaders, laborers, rely on Dr. Thomas' Eclectic Oil. Fine for cuts, burns, bruises. Should be kept in every home. 30c and 60c.

FARM BUREAU NOTES

Copy for this Department furnished by County Agent

Hessian Fly

On a farm in Cass county an experiment is being conducted to determine the rate of infestation of the fly on early sowing. The seeding was done on five different dates and counts made from each plot. Seeding on September 17 shows 27 per cent infested with Hessian fly. September 24 shows 24 per cent Hessian fly. Seeding on Oct. 1-8-15 are free from the fly.

Cost of Producing Corn

From 21 cost records kept by farmers in the county, the average cost per bushel for raising corn is 46 cents.

Beautifying Home Surroundings

The Fairview Woman's club met Friday evening, January 25 at the Fairview school for an illustrated lecture on beautifying the home surroundings. E. H. Hoppert of the Extension Service at Lincoln, was the principal speaker of the evening. By means of lantern slides it was shown how the farm home, no matter how humble, can be made attractive by the proper arrangement of drives and walks and the proper location of trees, shrubs and flowers. The usual method used in developing the grounds is to make a planting plan. This is the system which the Fairview club has decided to follow. At their next meeting in February the members will bring an outline sketch of their home grounds and an attempt will be made to work out such a planting plan.

CARD OF THANKS

We desire to express to our kind friends and neighbors our deepest appreciation of their loving kindness and assistance to us at the time of the death and burial of our beloved mother, Mary Kelly, Sr., of Manley, and we also desire to thank the friends for the beautiful floral remembrances at the funeral. May these kind friends be treated as generously and kindly in their hour of grief.—Mrs. Wm. Sheehan and family; Miss Nellie Kelly; John Kelly and family; Edward Kelly; William Kelly and family.

Bilious? Feel heavy after dinner? Bitter taste? Complexion sallow? Liver perhaps needs waking up. Doan's Regulets for bilious attacks. 30c at all stores.

J. W. Bookmeyer was a passenger this morning for Omaha where he was called to spend the day looking after some matters of business.

15c a week delivers the Daily Journal to your door.

E. H. Wescott, who has been spending a few weeks at Los Angeles with his mother, following the death and funeral of his father, is expected home this evening.

Far Reaching Service

UNDER STATE SUPERVISION!
Deposits Guaranteed by State Guaranty Fund.

Think, Plan, Act!

Every man has dreamed of accomplishing great things. Dreaming alone has never brought anyone success.

You must make definite plans. Your desire to accomplish things must be so great that you will have the power and courage to act.

The FARMERS STATE BANK stands ready to co-operate with men of such determination.

FARMERS STATE BANK
"Safety and Service for Savers"
T. H. POLLOCK, President

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They lead the field! For sheer superiority of fabric, tailoring and style, Kuppenheimer Good Clothes tower above all others. For solid values, you'll not do better than the splendid assortment of suits and overcoats we're showing at

$35 and $45

Philip Thierolf

NEXT SATURDAY February 2nd WILL BE

Each one of these coupons are worth real money to you. Clip them out—bring to our store Saturday and buy any of these articles for $1

No. 1 Boys' fast color 220 blue denim overalls. High back; 6 pockets. Ages 3 to 11. (5c rise per size above 11.) Per pair $1

No. 2 Boys' heavy knit pull-over sweaters with big collar. Color maroon. Sizes 28 to 34. A great big value at $1

No. 3 Men's fine dress shirts, with either collar attached or neck band style. Assorted patterns—sizes 14½ to 17½. Just like finding 'em $1

No. 4 Men's all leather work gloves. Choice horsehide or buckskin with gauntlet or band wrist. Full size. Per pair $1

No. 5 Extra size work shirts—for big men. Sizes hard to get, big full cut, collar attached. Made of plain blue or stripe cheviot $1

No. 6 Men's heavy fleece lined union suits; well made, good buttons, double cuffs. Sizes 36 to 42. Come on, men, they're bargains $1

No. 7 Men's latest style dress caps in big variety of patterns. New and up to date, highly desirable. Sizes 6¾ to 7⅝. Each $1

No. 8 Suit Cases—Made of brown or black leatherette, steel frame, 24-inch size. Good catches, lock and handle. Each $1

No. 9 Men's winter caps with pull down for ears when cold north wind blows. These caps are Brighton style and very warm $1

No. 10 Men's kiki color domet flannel shirts, made full and large with two military pockets. Sizes 14½ to 17. Each $1

No. 11 Boys' and children's underwear—the very best of fleeced union suits. Full cut and well made. Ages 3 to 16. Each $1

No. 12 Men's Sweaters—Coat style, good, heavy stitch. Big collar, 2 pockets. Heather color. Sizes 36 to 42. Special price, each $1

No. 13 We have five all wool jersey turtle neck sweaters to pull over head in assorted colors. They are sure a snap at this price $1

No. 14 Men's wool shirts and drawers. This is a broken lot, mostly large sizes, but very good quality. They go Saturday at, each $1

No. 15 Men's angora wool muffler. If Santa Claus forgot you this will be your chance. All fine brushed wool worth twice this price $1

No. 16 Children's romper suits made of kiki, steifel stripes or ginghams. Long legs and sleeves, fast color. Ages 1 to 8 ..... $1

No. 17 Men's rib underwear, union suits — wing sleeves, ankle length. Just right for indoor work. Sizes 36 to 44 ..... $1

No. 18 Men's Kiki Pants—Broken sizes, but more than likely your size is here. Double sewed, belt loops, cuff bottom. Pair $1

No. 19 Child's flannel sleepers made of best cotton flannel in the very best way. Sizes 2 to 16, with the exception of no size 12 ..... $1

No. 20 Men's all horsehide mittens, very soft, pliable oil tan leather, warmly lined with hug-tight elastic wrist. Per pair $1

No. 21 Men's cotton gloves or mittens. Just take this offer and compare it with any catalog house. NINE pair Saturday for $1

No. 22 Men's or boys' Eagle caps—best all wool, warm knit. Buttons under neck. Assorted colors. Special for Saturday, each $1

No. 23 Here is one for the Ladies. We have eight misses' and ladies' sweaters left. They are all wool and go Saturday for $1

C. E. Wescott's Sons
"ON THE CORNER"

Please do not ask us to charge Dollar Day Goods!