

The Plattsmouth Journal.

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NO. 61

JUDGE TROUP HERE TO PASS ON MOTIONS

OVERRULES PARMELE REQUEST AND PASSES SENTENCE—ONE TO THREE YEARS

FRICKE CASE UNDER ADVISEMENT

Will Not be Ruled Upon Until Feb. 16th when Quinton Re-hearing Motion Comes Up

From Friday's Daily—

This morning Judge A. C. Troup, of Omaha, arrived in the city and took up the matter of hearing the applications for new trials in the cases of the parties who were convicted here in the January term of the district court.

The first case to be reviewed was that of the state of Nebraska vs. C. C. Parmele, who was found guilty by the jury on the charge of embezzlement of a note of \$1,500. The defense in its motion for a new trial produced the affidavits of three members of the jury panel in which they had claimed they were influenced in their verdict by the remarks of the court, alleged to have been made in the rulings on the evidence. Other objections were made to the instructions given by the court.

This afternoon the case and the motion, Judge Troup gave a very severe lecture to the manner of securing the affidavits and their preparation and also on the nature of them as the jurymen had sworn to judge the case on the evidence and the instructions of the court and to disregard all other matters that might be presented to them.

The court overruled the motion of the defense for the new trial and in conformity with the rules in the court, inflicted the sentence which is prescribed by the statutes—from one to three years in the state penitentiary.

The attorneys for the defense sent to Lincoln this afternoon to procure from the clerk of the supreme court a writ of error that would permit the appeal of the case to the higher court and also fix the amount of bond that will be required for the appeal.

The local courts are not allowed to fix the amount of bond in felony cases that are to be appealed under a new law and consequently the order for the bond must come from the higher court.

This afternoon the motions for new trials in the case of the state of Nebraska vs. Carl G. Fricke was being argued. The larger part of the morning session was occupied by the argument of Halleck Rose, chief counsel for Mr. Fricke, and at the resumption of court at 1:30 P. O. Dwyer, special prosecutor, was heard in answer for the state.

In the Fricke case, Judge Troup decided to take the case under advisement until Saturday, February 16, when he will be here to hear the motions in the Quinton case as well. While here Judge Troup will also hear the motion for a new trial in the case of the state of Nebraska vs. William Grebe, in which Mr. Grebe was convicted of a charge of assault and battery on Raymond Hayward, of Omaha, on October 2, 1923, and for which he was tried at the January term of court. Mr. Grebe is still in the county jail pending securing of bond under the sentence of the court in the case wherein he was convicted of an assault on Elmer F. Gaines on the public highway north of this city in the latter part of May, 1923, and for which he was convicted in the December session of the district court.

In the case against Mr. Grebe the court overruled the motion for a new trial and gave the prisoner a fine of \$100 and the costs of the prosecution of the case and remanded him to the custody of the sheriff until the same is paid. In his sentencing of Mr. Grebe, Judge Troup stated that in view of the previous conviction on the same charge he would not inflict the full penalty of the law. The court scored the acts of the defendant in committing assaults on persons subject to arrest at his hands in a manner which was striking and assaulting anyone who did not jump at any command that he might give when he attempted to arrest them. The court also stated that the resignation of Mr. Grebe as constable saved him from the trouble of removing him from the office he had formerly held.

Owing to the fact that Paul Jensen and D. W. Livingston, attorneys for C. D. Quinton, former sheriff, were unable to be in court today, Judge Troup was unable to hear the motions for a new trial in this case.

PROCEEDINGS OF THE COUNTY COMMISSIONERS

From Thursday's Daily—
The board of county commissioners at its session yesterday made the award of the county printing for the

year 1924. There were two bids, one from the Louisville Courier and one from the Weeping Water Republican, and the bid of the Republican being the lowest, it was awarded the work which includes the commissioners' proceedings and notice for the county clerk and commissions. In the awarding of the district physicians the commissioners accepted the bids of Dr. J. F. Brendel, Murray, second district; Dr. J. W. Brendel, Avoca, third district; Dr. H. W. McFadden, Greenwood, fifth district; Dr. G. G. Douglas, Elmwood, fourth district. In the first district the board rejected all bids and in the fourth district there were no bids received.

SENATOR W. B. BANNING FILES FOR RE-ELECTION

Well Known Union Legislator is in the Race as Democratic Candidate—Makes Filing.

From Thursday's Daily—
State Senator William B. Banning, of Union, who represented the second district, Cass, Otoe and Sarpy counties, in the last legislature in a most acceptable manner, has consented to enter the race again and accordingly has filed at Lincoln as a candidate for the democratic nomination in this district.

Mr. Banning was the leader of the democratic forces in the state senate and one of the outstanding figures of the session on either side of the senate and his decision to enter the race will be learned of with much pleasure by republicans as well as the democratic voters of the district as assuring a strong representative in the senate from this district. Mr. Banning has long been identified with the farm bureau and extension programs of the state and is well qualified to legislate on the needs of the agricultural districts and is as well a director and strong supporter of the Nebraska State Fair association.

STATE WILL HAVE SURPLUS TEACHERS

Five Hundred More Than Needed Will Have Certificates is the Statement Made.

From Thursday's Daily—
Nebraska will have a surplus of over 500 certificated teachers when all who have now applied for papers receive them, was the statement made by several speakers at the meeting of county superintendents Wednesday morning at the Lincoln hotel. This condition was said to be an advantage so far as the schools are concerned, as it would be possible to weed out the weaker teachers.

Superintendent E. H. Koch of Seward county who spoke on specialization in education and teaching producing the best results, declared that teachers for rural schools should have some special qualification for primary work. Such rural teachers should not be required to specialize in any particular subject, as all-round teachers are needed for the work. In general Mr. Koch believed that specialization in education is only following the practice in medicine, law and other professions. He believed a teacher in a high school or grades, could obtain better results by teaching a subject in which she is particularly strong.

W. R. Richardson of Dixon county, presided over the session, the general topic being "Qualifications and Certificates of Teachers." Among the speakers on phases of the topic were Miss Maude Disbrow of Furnas county, Miss Alice Vogt of Howard county, R. H. Rennecker of Harlan county and Miss Mary J. Geeseman of Custer county.

The matter of a minimum salary was discussed. A. V. Teed of Wayne declared that a minimum salary was apt to degenerate into a maximum salary. He believed the salaries of school teachers should obey the general law of supply and demand.

A question box followed the talks in which Miss Lulu S. Wolford of the state superintendent's office, explained the various requirements for state certification in the different grades.

Announcement was made that a luncheon would be held Thursday afternoon instead of Wednesday at the chamber of commerce, at which Arlan Newsom would be the speaker. The luncheon Wednesday was given up.

The suggestion was made that on reassembling a brief period be devoted in memory of Ex-President Woodrow Wilson.

FOR SALE
R. C. Rhode Island Red cockerels at \$1.50 each—Mrs. Julius Reinke, South Bend, Neb. 210-2mo.w

GIVES AN INTERESTING LECTURE ON LAW ENFORCEMENT

Major E. B. Ebbert Gives Very Interesting Story of the Battle For Law Enforcement.

From Thursday's Daily—
Last evening the auditorium of the Methodist church was filled with an interested audience to enjoy the lecture and the moving pictures presented by Major E. B. Ebbert, who has been lecturing over the country in the interest of the enforcement of the prohibition law and in the warfare against the bootleggers of the country.

The speaker was introduced by the Rev. F. A. High, superintendent of the Nebraska Anti-Saloon League, and following the introduction, Major Ebbert swung at once into the subject of his address and gave many interesting facts relative to the sale of liquor in this country following the enactment of the prohibition amendment. The speaker quoted figures showing the decrease in the sale of liquors in this country and also touched on the matter of the present day agitation in the halls of congress that would weaken the act by the increasing of the alcoholic quantity of liquor and on the other hand, the speaker by the speaker was that under the conditions as imposed by the change in the law would make conditions worse than with legalized saloons which were subject to regulation by the law officers.

Major Ebbert also showed two moving pictures, one being of Sheriff a fearless law enforcing officer, who was killed while raiding a place here an illicit still was in operation and the other showed the manner in which the law is sometimes enforced, showing a citizen making a complaint to the sheriff, the sheriff calling up the dealer in illicit liquor and warning him of a raid, the hiding of the booze by the dealer in illicit liquor and warning him of a raid, the hiding of the booze by the bootlegger and the result that no liquor was found and the law cheated of its proper enforcement.

At the conclusion of the lecture the contest for the large American flag between Troop 1 and Troop 2 of the Boy Scouts was decided and was very close Troop 1 receiving 58 votes and Troop 2, 53 votes, and in a few well chosen words Major Ebbert presented the flag to the young Americans.

MEMORIAL FOR WILSON PROPOSED AT PRAGUE

From Friday's Daily—
A campaign to erect a memorial in Prague to Woodrow Wilson was started by the directors of the Bank of Europe, according to Frank Riha, publisher of the Omaha Herald-People, Bohemian newspaper, who received a telegram yesterday from Thomas Capek acting chairman of a committee just organized in New York.

The telegram says the committee is co-operating with President Masaryk of Czechoslovakia and Mayor Maxa of Prague and that 12 hundred dollars has already been subscribed.

"Let us Czechoslovaks bear in grateful memory what the great war president did for the liberation of our mother country," says Capek in the telegram. Riha said a committee would be organized in Omaha immediately.

PETITIONS FOR THE PRESIDENCY

Governor Bryan Declines to Say Whether His Name Will Go Upon Preferential Ballot.

"I cannot discuss that matter without official knowledge," said Governor Bryan when asked if petitions nominating him as a preferential candidate for president are to be filed with the secretary of state. Such petitions are reported to be in circulation at Omaha and elsewhere.

"I cannot answer a hypothetical question," required the governor. Governor Bryan has received the resignation of Herman Diers, inspector for the department of agriculture. Mr. Diers filed as a candidate for congress on the democratic ticket Thursday. "Fairness to the state, my opponents in the primary election and to myself warrants my resignation," said Mr. Diers. He formerly occupied a seat in the state senate. His home for many years has been at Gresham where he was in the mercantile business. He has been employed for some time as state inspector of food, cream stations, hotels and restaurants.

Floyd L. Bollin of Lincoln, formerly connected with the progressive party movement, has filed as a democratic candidate for railway commissioner.

WOMAN'S AUXILIARY MEETING

From Friday's Daily—
The Woman's Auxiliary of the Episcopal church met yesterday afternoon at the home of Mrs. Henry Herold and a large number of the members were in attendance.

The meeting was under the leadership of Mrs. R. W. Clement and the ladies followed their program for the year, "Japan," and in the review took up the work of the church in the Tokio mission district in that country. Miss Barbara Gering also gave a review of the work of the church council in Omaha recently and which was received with the greatest interest by the ladies. Miss Gering in particular covered the work of Bishop Overs of Liberia, Africa, one of the leading missionary bishops of the church.

Very enjoyable refreshments were served at an appropriate hour by the hostess.

EXPRESSES APPRECIATION TO THE CITY COUNCIL

Board of Directors of Nebraska Masonic Home Thanks Legislators For Courtesies.

From Friday's Daily—
To the Honorable Mayor and City Council and the Chamber of Commerce of the City of Plattsmouth, Nebraska.

Gentlemen:—At a regular meeting of the board of directors of the Nebraska Masonic Home, held on the 23rd day of January, 1924, a resolution was adopted requesting the president and members of the City Council and the Chamber of Commerce of the city of Plattsmouth, the thanks of the board for the many courtesies extended to the Nebraska Masonic Home.

Therefore, by virtue of my office, I hereby tender the thanks and appreciation of the Nebraska Masonic Home board for the assistance and help and the many acts of kindness extended by you and the citizens in general toward the Home and I sincerely hope that the kindly feeling which has existed between us may continue in the future.

JAS. M. ROBERTSON,
President of the Nebraska Masonic Home Board.

NEW AUTO NUMBERS MUST BE SECURED

Sheriff Stewart Sounds Note of Warning to All Those Who Have Been "Putting It Off."

From Thursday's Daily—
The auto owners of the county have been given the month of grace allowed by the law for the securing of the new license and number plates for the year 1924, and which were due on the 1st day of January, and those who have procrastinated with the machinery of the law better get on the job at once and see that the old car is equipped with the necessary plates before they are compelled to pay a fine.

Sheriff E. P. Stewart has notified the public through the various papers of the county that the time of grace has expired and those who now operate their cars under the old numbers are doing so at the risk of getting taken in and fined and which will be done if they do not make an attempt to comply with the law.

The sheriff proposes to enforce the law fairly and without favor and anyone who runs with the old 1923 license number now is laying himself liable. The strict enforcement of this law would have been made at the first of the month, but owing to the bad weather a little longer time was given for the benefit of those who reside at a distance from the county seat, but there has been ample time to send in and get the licenses now and the old numbered car is a fair mark for punishment under the law.

LOCATED IN DAKOTA

From Thursday's Daily: Mrs. Wm. Rice, Sr. of this city, is in receipt of a letter from Mr. and Mrs. Carl Mathiasen, formerly of Newell, Iowa, but now of Canton, South Dakota, where Mr. Mathiasen has accepted a position as manager of a ready-to-wear and general merchandise store.

Mr. Mathiasen was formerly manager of a Farmers Union store in Newell and resigned his position for the one in Canton where he receives a big increase in salary. Mrs. Mathiasen is a daughter of Mr. and Mrs. Wm. Rice, Sr.

NOTICE TO THE PUBLIC

There having been a change in the Plattsmouth Implement Co., all persons who know themselves indebted to the company are requested to come in and settle or arrange to settle their accounts so that the affairs of the company can be settled up. PLATTS. IMPLEMENT CO.

DEATH SUMMONS ANOTHER PIONEER LADY

MRS. ADA BESTOR PASSES AWAY AFTER ILLNESS OF SOME TWO WEEKS.

GAME HERE IN THE YEAR 1856

Daughter of William B. Porter, Pioneer Resident of This Part of Cass County.

From Saturday's Daily—

Death last night entered into the community and called from the scene of her earthly activities one of the ladies in whose life has been woven a part of the history of Cass county. Mrs. Ada Bestor, coming here here a child in the year 1856, has lived through the years since that time in this community.

For the past two weeks Mrs. Bestor has been critically ill at the home of her son, Frank M. Bestor and family, with whom she made her home for the greater part of the time since the death of the husband and father a number of years ago. During this last sickness the mother has been tenderly cared for by the members of the family and all that loving hands and skill could summon was done for this estimable lady as the sands of life were gradually running out and the approach of the end drew near.

Ada Porter, daughter of Mr. and Mrs. William B. Porter, was born in Jefferson county, Ohio, near the town of Steubenville, on September 10, 1847, and when but a child of very tender years the family migrated to eastern Iowa where they located on a farm and remained there for a short time until the father, hearing of the promising new country of Nebraska, came westward and looked over the new settlements that were springing up on the western side of the Missouri river and in the fall of 1856 Mr. Porter brought his wife and family to Plattsmouth and located on a farm that had been pre-empted southwest of this city and just adjoining where the town of Bernard now stands. Here the first pioneer home was erected and Mrs. Bestor often would recall in later years the many privations that were endured by the family in the winters that prevailed in this section at that time. The winters of '56 and '57 were particularly severe and caused a great deal of suffering among the pioneers in the sparsely settled territory and among which were numbered the Porter family.

In the year 1870 the marriage of Miss Ada Porter to Mr. Harmon Bestor occurred at Plattsmouth and shortly after this event the family located on the farm west of this city on the Louisville road where they made their home for many years until the approach of age caused them to move into Plattsmouth to make their home. To Mr. and Mrs. Bestor were born four sons, Charles, Guy, Frank and Daniel. Charles and Frank reside in Plattsmouth, Guy in Chicago and Daniel Bestor, a sergeant in the U. S. army, is now stationed at Fort DuPont, Delaware. All of the children were here and at the bedside of the mother when she entered into the eternal sleep of death.

There are also two sisters and one brother to mourn the passing of this estimable lady. Mrs. Carrie Donnelly, a teacher, is residing at Edinburg, Washington; Mrs. Elizabeth Cooper of Rice, Washington, and William Porter of Benson, Nebraska.

In her early life Mrs. Bestor united with the Christian church and remained a faithful believer in this faith until death. The funeral services will be held from the home of Frank M. Bestor on North Fourth street Sunday afternoon at 2 o'clock and the services will be conducted by the Rev. Walter R. Robb, pastor of the Christian church.

MARRIED IN COUNCIL BLUFFS

From Saturday's Daily—
The marriage of two of the well known young people of this city occurred on Thursday afternoon of the week at Council Bluffs, Iowa, the contracting parties being Miss Opal Lahoda and Mr. Oscar Parsons. The wedding was a very quiet one and following the ceremony the young people returned to this city where they will start housekeeping at once. The bride is well known here and is a daughter of Henry Lahoda and has been reared to womanhood in this city where she possesses a large circle of friends. The groom is an employe of the Burlington shops and a young man highly esteemed by those who have the privilege of knowing him.

P. J. Vallery departed this afternoon for Havelock where he expects to visit over Sunday with his son, W. J. Vallery and family and his daughter, Mrs. Johnson in that city.

DOING WELL IN CALIFORNIA

From Friday's Daily—
The many old time friends of Glen Smith, son of Mr. and Mrs. Washington Smith, for many residents of this city where Mr. Smith was general foreman at the Burlington shops will be pleased to know that Glen is now one of the leading business men at Montebello, California, being the manager there of the branch bank of the Security Trust & Savings bank of Los Angeles, the largest bank in that city. Mr. Smith has been there for several years since leaving Omaha where he was formerly with the U. S. National and the Omaha State banks, and has made great progress in his work as the head of this important branch bank. Mr. and Mrs. Smith resided in Omaha for a number of years after the family moved from this city, and Mrs. Smith was formerly Miss Drescher, a sister of the Drescher brothers of Omaha.

MAN TAKEN WITH STOLEN AUTOMOBILE

Spent Several Hours in Elmwood Trying to Get Money on Note—Was Going to Lincoln.

Last Thursday a fellow came to town accompanied by a lady. It was understood that he claimed his name was Dr. Pain. While here he put his auto in the Cassel garage and borrowed three dollars on it from Mr. Cassel. The auto was a Chevrolet. It seems that he had had a Studebaker sedan which was practically new and which he had driven from Pennsylvania. Somewhere near Omaha he had got stuck in the mud and a young fellow came along with the Chevrolet and traded it for the sedan giving him a note for something like three hundred dollars. The note, however, it seems, was to be secured by the young fellow's mother but at the time she was away Dr. Pain, as he called himself, had probably gotten where he needed some money and called up his party at Omaha to see what could be done. He was able to get enough money to get his car and continued on toward Lincoln. By this time the young man in Omaha had gotten suspicious and telephoned here to find out his whereabouts. He was taken by authorities as he was driving into Lincoln. While here he had offered to sell the note which he carried about half of the amount called for which aroused the suspicions of those whom he tried to sell it to.—Elmwood Leader-Echo.

PARMELE WILL APPEAL CASE

From Thursday's Daily—
Last evening the word was received here from the office of the clerk of the supreme court at Lincoln that the writ of error, necessary in the appeal of cases had been granted in the case of the state of Nebraska vs. Charles C. Parmele and the appeal bond fixed at \$3,000. The action of the court permitted the receiving of the bond of Mr. Parmele and to facilitate the handling of the matter, Judge A. C. Troup remained here until the evening Missouri Pacific train to approve the bond. The case will be taken to the state high court for hearing as to whether the judgment of the district court here should be sustained or overruled.

Service with Cordiality

Thin Ice—Danger!

Skating on thin ice may be exciting, but it is also dangerous.

Keeping a balance in your checking account which is just large enough to care for the usual disbursements is like skating on thin ice. It makes your checking account useless in times of emergency, and there is always the danger that you will accidentally overdraw your account—a serious matter.

To make your checking account serve you as it should, keep up your balance. In that way only can you derive full benefit from it.

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

"The Bank Where You Feel at Home!"

COMMITTEES OF CHAMBER OF COMMERCE ANNOUNC'D

President Searl Davis Gives Out the Names of Various Workers Selected to Date.

From Thursday's Daily—
In preparation for making the year 1924 a red letter one in the history of the Chamber of Commerce, the president, Searl S. Davis, is announcing the names of those who are to serve on the committees that have so far been chosen to take up the problems that have been laid out as a part of the year's work.

There are a number of the committees that have several different subjects to handle and these have been divided into sub-committees for the purpose of getting a more direct action. The committees selected are as follows:

- 1—Public Improvements and Good Roads committee, divided into following three sub-committees:
 - (a) Tourist Park and Good Roads—J. H. McMaken, Chairman, John V. Hatt, George L. Farley.
 - (b) Beautifying High School Grounds—T. H. Pollock, Chairman; George E. DeWolf, Henry Leacock, Sr.
 - (c) Cemetery Sidewalk—William Baird, Chairman. He to select two additional members.
 - 2—Industries committee: Henry A. Schneider, Chairman; C. J. Theelen, E. H. Wescott.
 - 3—Membership and Amusement committee, divided into following three sub-committees:
 - (a) Swimming Pool—C. C. Wescott, Chairman, C. F. Theelen, B. J. Halstead and L. O. Minor.
 - (b) Public Playgrounds—E. H. Wescott, Chairman, Henry Leacock, C. H. Peden.
 - (c) Fourth of July—Guy W. Morgan, Chairman, H. F. Goos, W. C. Soennichsen, L. W. Lorenz.
 - 4—Railroad committee: C. J. Theelen, Chairman, John J. Cloyd, Frank M. Bestor.
 - 5—Publicity committee: Searl S. Davis, Robert A. Bates.
- It is believed the above arrangement will make it possible to secure the greatest efficiency along the lines of endeavor mapped out at the recent meeting of the Chamber and with the active co-operation of all committee members this year should be a most successful one for Plattsmouth and its Chamber of Commerce.

BLIND BOYS SELL BROOMS

From Saturday's Daily—
This morning a number of boys from the state institute for the blind at Nebraska City were here to dispose of some of the brooms that are manufactured there at the factory which is a part of the employment features of the institute. The brooms were excellent pieces of work and a large number of the brooms were disposed of to the business houses. The work of the boys has particular interest here as N. C. Abbott, former city superintendent of schools here, has been at the head of the institute for a number of years and been very successful in his work.