

The Plattsmouth Journal.

VOL. NO. XL

PLATTSMOUTH, NEBRASKA, MONDAY, AUGUST 4, 1924.

NO. 52.

COURT FINDS FOR STEWART IN INJUNCTION

JUDGE C. O. STAUFFER OF OMAHA MAKES THE INJUNCTION PERMANENT.

DEFENDANTS WILL APPEAL

Decision Sweeping and Confirms the Right of Mr. Stewart to the County Jail.

From Saturday's Daily—

Late yesterday afternoon the legal battle covering the action of E. P. Stewart vs. C. D. Quinton et al., and in which the plaintiff had secured a temporary restraining order some time ago against the defendants, was closed for the present at least when Judge Carroll O. Stauffer of Omaha, who was called to preside in the case, granted the request of Mr. Stewart and his attorneys for making the injunction permanent.

The afternoon session was largely covered by the taking of testimony by the plaintiff and the defendant. To aid in the claim of conspiracy on the part of the defendants to interfere with the salary of Sheriff Stewart, the testimony of Andrew P. Sturm and Ralph J. Haynie, signers of the two of the appeals of the payment of the salary of the present sheriff, was taken. Both men testified to having been asked to sign the appeal as taxpayers of the county and both claimed no knowledge of whether or not the claims were just ones aside from the fact that they had been represented to them that Stewart was not sheriff and not entitled to the salary.

R. A. Bates, publisher of the Journal, was called to identify a notice of sheriff's sale that had been caused to be advertised by Mr. Quinton and which was signed by his name as sheriff, following the removal from office by Governor Bryan and Judge Alexander C. Troup.

Mrs. Edith Palmer of Nehawka, a sister of Mr. Quinton, who also had filed an appeal of the payment of the salary of Mr. Stewart, testified that she had done this as a taxpayer, but did not know if the amount was excessive or not. She had done so without solicitation and the papers in the case had been prepared by Mr. A. L. Tidd.

A. J. Tritley was called to the witness stand and related a conversation held with A. L. Tidd, attorney for Mr. Quinton and one of the defendants in the case, and the audience was regaled with some very sharp passages between the witness and the attorney as the testimony was being taken. At the time of the conversation both parties had been angry.

George H. Shrader of Union was called to the stand and testified that he had been in business at Union and had his place closed by Mr. Stewart and going to Mr. Tidd for legal advice later, had been told that the closing was illegal and that he could open up again and which he had done on the advice of Mr. Tidd and had been closed the second time. On cross examination he stated that Mr. Tidd had asked him as to his having had any warrant or papers served on him by Mr. Stewart and he had told Tidd he had none. The witness also stated that Mr. Tidd had told him that unless Stewart had brought the papers with him he had no right to close the place.

Mr. Tidd testified to the various actions that had been taken by him in the interests of the right of his client, Mr. Quinton, to the office of sheriff, and of his advice from time to time as to what steps should be taken, including the refusal to vacate the jail and the turning over of the keys to the jail until after the granting of the injunction.

Mr. Quinton testified relative to a statement made by Mr. Tritley on the stand that Quinton had stated that he was sheriff of the county. Mr. Quinton stated that he had told a party that the attorney, general of the state had said he was the sheriff with the taking of the witness on stipulation of the parties, it was agreed that Judge Stauffer could prepare the journal entry in the case and have it sent here to the clerk of the district court.

Judge Stauffer announced that he found for the plaintiff, E. P. Stewart, and made the injunction permanent which has heretofore been merely of a temporary nature.

The provisions of the injunction covered the turning over of the jail to the plaintiff, Stewart, together with the keys thereof, by the defendant, Quinton, the closing of all efforts to annoy or interfere with Stewart in the discharge of the duties of

FARM FOR SALE

Eighty acres, well improved, some timber and running water. Four miles south of Plattsmouth.—Mrs. W. A. Taylor, R. F. D. No. 1, Plattsmouth, Nebr. 128-4tw

the office of sheriff and also from causing appeals to be made on the payment of the salary of sheriff on the grounds that Quinton was the sheriff, from causing notices or statements to be published that Quinton was the sheriff and Stewart was not, or making or causing to be made verbal statements that the plaintiff, Stewart, was not the sheriff of the county. It is expected that most of these will be included in the permanent restraining order. The cases of appeals from the allowance of salary that have already been made will not be included in the injunction but will be tried on their merits by the court later.

REBEKAHS INSTALL NEW OFFICERS FOR THE COMING YEAR

District President Agnes Christianson of Omaha and Staff Conduct Ceremonials.

From Saturday's Daily—

Last evening was a most noteworthy occasion in the annals of the Rebekah lodge of this city and made very interesting in the installation of the new officers of the lodge which was held at the lodge rooms and was very largely attended by the members.

The impressive ritualistic work was carried out by District President Agnes Christianson and staff of twenty members from Omaha and the ladies com nistrated by the ladies comprising the degree team gave a real exhibition of the work that was witnessed with the greatest of interest by the Plattsmouth members.

The officers installed were: Miss Helen Lutz, noble grand. Mrs. Florence Coleman, vice grand. Miss Catherine Lutz, warden. Mrs. Minnie Pickard, conductor. Mrs. Emma Olson, chaplain. Sanford Short, secretary. Mrs. Sophia Short, treasurer. Mrs. Martha Peterson, RS to NG. Mrs. Susie McNurlin, LS to NG. Mrs. Anna Hild, RS to VG. Mrs. Susie Bates, LS to VG. Mrs. Lizzie Cayard, inner guard. George Pick, outer guard.

Following the installation of the officers the members of the party were treated to very dainty refreshments that had been prepared by the committee in charge under the direction of Mrs. F. H. Mumm, the efficient retiring noble grand.

HEAVY RAIN LAST NIGHT

From Saturday's Daily—

The vicinity of Plattsmouth was visited by a very generous rainfall last night and early this morning which totaled an inch and a half and which was accompanied by a very generous display of lightning. The rainfall was heaviest from 2 to 3 o'clock and shortly after 3 o'clock the members of the fire department was called out on the fact that the sewer on Chicago avenue overflowed and the result was that a deposit of mud was left all over the pavement and a large amount of water swept on down onto Main street but was not at all dangerous and with the firemen keeping the inlets open to the box covers the water overflowed off and the men were able to go on home and catch a few hours sleep.

VISITS AT WEEPING WATER

From Saturday's Daily—

Will Rice motored over to Weeping Water yesterday afternoon to bring his daughter, Mrs. John Fitzpatrick and two little daughters here for an over Sunday visit. Mr. Rice reports the crops between this city and Weeping Water as looking very fine and everybody busy harvesting and working the corn over for the season and apparent good crops of both wheat and corn in prospect.

GOOD WHEAT YIELD

From Thursday's Daily—

On the farm of Lee Snavey, four and a half miles west of Elmwood, there is a tract of four acres of wheat that has shown a yield of fifty bushels to the acre and is one of the best pieces of wheat in the county so far reported. On the general average of the wheat on the farm, Mr. Snavey expects an average of thirty-five bushels, which demonstrates that old Cass county is the real bread basket of the state, as this is about the general ratio of the wheat yield over the county.

MAY ATTEND MEETING

From Saturday's Daily—

The democrats of the county and especially those of the members of the county central committee which is to meet on Saturday, August 9th at Union, are hoping to have with them on this occasion, Charles W. Pool, present secretary of state and candidate for re-election. Mr. Pool is one of the well known democrats in this section of the state and has been very active in party circles for the past twenty years. This will make a real attraction for the old settlers reunion as Mr. Pool is one of the old time residents of the state.

ONE HUNDRED MILLION DOLLAR GAIN WHEAT CROP VALUE

Conservative Estimate Made by Agriculture Department—"Frostless Fall" Necessary.

Washington, July 31.—The present spectacular boom in grain prices will net American wheat growers from \$100,000,000 to \$200,000,000 more than they received for last year's crop, the department of agriculture conservatively estimated today.

The department discounted optimistic calculations of a gain of \$1,000,000,000 made in some quarters, but declared in its statement that the gain "bespeaks an increased ability to pay off debts and a general improvement in financial conditions in the wheat country."

Corn Crop Backward

The corn situation is by no means good, the department of agriculture continued, much of the crop being so far behind that it will need something like a "frostless fall" for it to mature.

"The main significance of the corn situation," said the statement, "lies in its effect on livestock production and prices during the coming year. Expensive corn this fall will probably prolong the liquidation of breeding stock now in process. Unless history is a faithless guide, hogs and high grade cattle will be a good property before this time in 1925."

Car Loading Increase

"Stimulation in the movement of grain and grain products, forest products and miscellaneous freights," said the weekly survey of the car service division, American Railway association, today, "brought the total loading of revenue cars to 930,284 cars for the week ended July 19, compared with the preceding week, this was an increase of 19,869 cars. "Grain and grain products loading totaled 47,628 cars, an increase of 5,658 over the week before. In the western districts alone, 33,419 cars were loaded with grain and grain products."

OIL WELL DRILLING NOW ACTIVELY ON

Indications So Far Are Optimistic That There Will Be a Successful Conclusion of Work.

From Thursday's Daily—

Since the release of the drill used in the sinking of the test oil well on the Z. W. Shrader farm southwest of Murray near the vicinity of Nebraska, work on drilling has been continued with unabated force and the drillers are well pleased with the showing so far in the work.

The drill was stuck in the rock formations for more than two months and kept the operators at a standstill while special machinery was secured to try in getting the diamond pointed drill released from its position in the rock. The extra work and machinery that was necessary in getting the drill out will be close to \$10,000 and indicates the general confidence that is felt that the ultimate outcome of the operations will be a success.

Mr. Thurston, who has charge of the interests of the company that is doing the drilling, is very well pleased that they extricated the diamond drill without injury and has a depth of some 850 feet.

From the formations that have been touched since the drilling was resumed on Monday, the indications are more favorable than ever. The formations strongly indicate at one time there was oil present in the earth and it is thought that in the years that have passed there have been formations on the top of the former oil veins that have forced the oil to lower levels where it awaits the drilling operation to reveal to the world. This, it is taken, is a very favorable indication and the well will be pushed so that every opportunity to locate a paying oil well will be given.

When the well reaches the depth of from 1,200 to 1,500 feet there will probably be more definite traces of the oil if not actually reached by the drillers and from every viewpoint the indications are strong that the well will prove all that has been hoped for by the promoters as well as the residents of the locality where the well is being sunk.

FINDS OPERATION SUCCESSFUL

This afternoon Miss Alpha Peterson, county superintendent of schools returned from Omaha, where she was here this morning when the bandages were removed from her eye as her sister, Miss Gerda Peterson, who was operated on at the Methodist hospital a week ago for the removal of a cataract from one of her eyes. The operation seems to have been entirely successful and after a short course of treatment it is expected that the eye will be restored to its normal condition. Miss Peterson will probably have to undergo a second operation later as her other eye is affected to some extent.

ACCIDENTS SHOWS INCREASE.

From Friday's Daily—

The United States department of commerce have just prepared and issued to the press the figures on the death rate in two of the states of the union in widely separated areas that show a striking increase in the number of accidental deaths that should be a warning and especially to the traveler. The states are Wyoming and Delaware, both with small populations. In Wyoming, one of our neighboring states there were 28 killed in auto accidents in 1922 and in 1923 this had climbed to 51, while in railroad accidents the rate had grown from 31 in 1922 to 72 in 1923.

In the state of Delaware the automobile accident deaths showed an increase from 24 in 1922 to 55 in 1923, while the deaths from railroad accidents showed a marked decrease, 15 in 1922 and only 9 in 1923. The general death rate in both states showed a marked increase.

ST. LOUIS MAN IDENTIFIES BODY AS THAT OF SON

G. G. Sullivan Makes Trip Here to Exhume Body Found in River and Buried Saturday.

From Thursday's Daily—

This morning G. G. Sullivan, of St. Louis, father of John Sullivan, the 18-year-old boy drowned in the Missouri river at Omaha on July 21st, arrived in this city to identify if possible the body taken from the waters of the river here last Saturday as that of his boy.

Mr. Sullivan was accompanied here by W. E. McCune of Council Bluffs, secretary of the Masonic Relief committee of that city, and who has been aiding in the search for the body of young Sullivan, for the family, the father of the unfortunate young man being a member of the Masonic order.

The father was in consultation with John P. Sattler, the undertaker, who had charge of the funeral arrangements of the body recovered and from the description of the body was convinced that it was that of John Sullivan, although the condition of the body would not permit a thorough identification and at that time there was no detailed description available of the boy.

The case is one that is very sad indeed the mother of the boy is in poor health at her home in St. Louis and the father greatly broken by the fate of his son, but bore the long journey here in the hope of having himself assured of the recovery of the body. Mr. Sullivan was much gratified in reaching here to learn of the manner in which the body had been cared for and given a Christian burial in the cemetery, as he had feared the body had been buried somewhere along the river bank.

The body was taken up this afternoon at the Oak Hill cemetery where it had been interred last Saturday, and was identified by Mr. Sullivan as that of his son and to this extent satisfied the father as to the final fate of the unfortunate boy.

While the father is very anxious to have the body taken back to the old home in St. Louis for burial, he has decided to wait at least until colder weather for the removal of the body and may under the circumstances decide to have the body remain here permanently as little can be gained by the moving of the body to St. Louis, and removal at this time would be a matter of the greatest difficulty.

The unfortunate boy with two companions had been traveling over the country and reaching Omaha in the morning was picked up by the Omaha police department and held for some time without cause and then ordered out of the city and in their attempt to comply with the order young Sullivan met death as the boys only had five cents between them and was given to the one member of the party who could not swim, while Sullivan and his other companion removing their clothes and giving them to the third boy to carry over the river, started to swim the river, with the result that Sullivan was seized with a cramp in the childing turbulent waters of the Big Muddy and went down despite efforts of his companion to rescue him.

VISITS FRIENDS HERE.

From Friday's Daily—

Yesterday for a short time Mr. and Mrs. Fred H. Barclay of Pawnee City and Dr. Arnot, also of that place were here visiting with friends. Mr. Barclay is well known to many of the Plattsmouth business men as he has been very active in the work of the Nebraska Retail Clothiers association and the general mercantile organizations of the state and has been at different times the president of the clothiers association. Dr. Arnot is one of the young men who are active in party circles of the state and while here looked over the situation here with a view of locating if the proposition appeared to be satisfactory to him.

WILL OBSERVE FIFTIETH ANNIVERSARY THIS MONTH

First Christian Church of This City to Hold Splendid Program on Sunday, August 10th.

From Friday's Daily—

The First Christian church of this city is observing this year the celebration of its fiftieth anniversary of its foundation and accordingly are arranging a very worthy program that will in an impressive and appropriate manner mark the fifty years of service that this church has given in Plattsmouth and this portion of Cass county.

The church building was dedicated in 1874 and has been in constant use since that time as the meeting place of these earnest and devoted followers of the christian faith and among the membership numbers at least one of the old time pioneers in church work. Thomas Wiles, who is still very active in the affairs of the church.

The program that has been arranged for Sunday, August 10th embraces a joint service of all of the bible schools of Cass county, morning worship conducted by one of the visiting pastors, a big basket dinner at noon and in the afternoon the "Home Coming" service at which Thomas Wiles will give the history of the local church and an address delivered by John G. Albers, state secretary of the Christian church of Nebraska. In the evening Charles A. Finch of Kansas City will preach. At the services there will be special music by the choir under the direction of Miss Hazel Robb.

Following the anniversary services there will be a series of evangelistic services held with the Rev. W. B. F. Robb of North Bend, Nebraska, in charge and conducting the services that will bring the word of the gospel to the people of the community. At the evangelistic services Miss Hazel Robb will have charge of the special services. Rev. Robb is the father of Rev. Walter Robb, pastor of the Christian church in this city.

MAKES BIG PROFIT IN GROWING CORN

John Tighe, Burt County Farmer, is Nebraska Land Booster—Says Profit in Growing Corn.

From Thursday's Daily—

"There is a good profit in growing corn on eastern Nebraska land at present prices," says John Tighe, who owns 240 acres three miles north of Herman, in Burt county.

Mr. Tighe has retired from active work on the farm. He believes in giving the boys a chance. His son operates the farm and this year there are nearly 200 acres in corn. The crop is nearly three weeks late, but is making a fine growth and the fields are clean.

"Last year we had nearly 200 acres of corn, which averaged about sixty bushels to the acre," said Mr. Tighe. "Some of it was fed to cattle and hogs. I made a deal with a big cattle feeding company to take 2,000 bushels on July 14 at 98 1-2 cents per bushel."

Mr. Tighe has been farming and dealing in livestock for more than fifty years. About 1875 he bought a farm in Cass county at \$10 an acre. Five years ago he sold that land for \$250 an acre and bought his present farm in Burt county at \$300 per acre. It is all upland, nearly level but drains well and will stand either a wet or dry season. Last year the corn crop on his place brought nearly \$8,000 in cash and feeding value.

ENTERTAINS BRIDGE CLUB

From Friday's Daily—

Yesterday afternoon Mrs. George K. Petring entertained very pleasantly the members of the bridge club at her home on High school hill and a most delightful time was enjoyed by the ladies who are members of this organization.

The Petring home is one of the most attractive in the city and in its pleasant surroundings the ladies found a great deal of enjoyment and pleasure. In the contests Mrs. Frank L. Cummins received the first prize, while Miss Minnie Gutmann was awarded the second prize of the afternoon. At a suitable hour the hostess served very dainty and delicious refreshments.

ENTERTAIN AT DINNER

From Friday's Daily—

A very enjoyable dinner party was given last evening at the home of Mr. and Mrs. William G. Kleck at their attractive home on West Rock street to a small party of friends. The usual pleasant interior of the home was enhanced by the use of the garden flowers and amid this setting the enjoyable dinner party was served. Those attending the occasion were the Misses Elizabeth and Emma Hinz and Rev. H. Kottich.

RECEIVE PLEASANT NEWS

From Friday's Daily—

Yesterday, Mr. and Mrs. Hans Seiver of this city received the pleasant news that they were again honored with the distinction of being grandparents as a fine little daughter arrived at the home of Mr. and Mrs. William Heldmann at Fargo, North Dakota, on Monday, July 28th. The occasion has brought the greatest of pleasure to the relatives here. Mrs. Heldmann was formerly Miss Alma Seiver of this city.

DEATH OF AN OLD RESIDENT OF CASS COUNTY OCCURS

Mrs. Martha Ann Mapel Dies at Nichols, Iowa; Brought to Cass County For Burial.

Martha Ann Jenkins was born at Harrisonville, Sciota county, Ohio, on September 11, 1844, and died July 25, 1924, age 79 years, 10 months and 15 days.

Martha Jenkins emigrated with her parents when 11 years old to Iowa, and in 1861 was united in marriage to Wm. Mapel. To this union were born 12 children, of whom 3 daughters and 4 sons still survive. They are: Mrs. Mary Rockwell, Denver, Colo.; Will Mapel, Avoca, Neb.; Grant Mapel, Atlanta, Kan.; Hiram Mapel, Belfry, Mont.; George Mapel, Nichols, Iowa, where Mrs. Mapel made her home for years.

Mrs. Mapel was a devoted and loving wife and a kind and loving mother. Mrs. Mapel was of a kind and loving nature and is leaving, besides her loved ones, a host of friends both here and in Nichols, Ia., where a short service was held at the home of her daughter, Mrs. Foley, last Monday afternoon. The remains were then taken to Weeping Water for burial.

Mrs. Mapel was a member of the Christian church, having accepted Christianity in 1908.

The body of Mrs. Mapel was brought to Weeping Water Tuesday and the funeral was held at the Christian church. The remains were laid to rest in Oakwood cemetery, Rev. J. P. Hay of Elmwood officiating.

The music was in charge of the Christian church male quartet, composed of Messrs. Jenkins, Harmon, Cyrus Livingston and Sack.

Old friends of the family were the pallbearers.—Weeping Water Republican.

HAS DISTINGUISHED VISITORS

Yesterday Canon W. S. Leete and wife and Madame Leete enjoyed a very pleasant visit from a party of distinguished friends who were here for the day and as guests at luncheon and dinner at the pleasant St. Luke's rectory. Those in the party were Rt. Rev. Ernest V. Shayler, bishop of Nebraska and Mrs. Shayler; Mrs. Marion Heath, daughter of the Shaylers and little Miss Marion Louise Heath; Miss Margaret Knight, sister of Mrs. Shayler and secretary of the bishop, and Mrs. Clara Langford, of London, England, cousin of Bishop Shayler.

The members of the party motored down from Omaha and enjoyed very much the journey and the time spent in the quiet of the country district.

UNDERGOES OPERATION

From Thursday's Daily—

This morning, Dr. H. C. Leopold was called upon to operate on Harlan Sims of Omaha, who was brought here for the operation and which proved very successful in every way and the young man came through in fine shape and the operation seems successful in every way.

Uncle Sam Knows This Bank is Sound

—for he calls for frequent sworn statements of our condition and sends his own examiners without warning at least twice a year to go through all our records.

The word "National" in our name means that we operate under strict United States banking laws which are enforced by strict supervision. Bank with this National Bank for safety.

THE FIRST NATIONAL BANK
PLATTSMOUTH, NEBRASKA
"The Bank Where You Feel at Home!"



OLD TIME NEBRASKA HAIL STORM IS TOLD OF IN PAPER

Ashland Gazette Has an Interesting Story of Storm of 28 Years Ago in This Section

The Ashland Gazette has the following account of a big hail storm that swept over that section some years ago, and which also in western Cass county left waste and ruin in its wake:

"We are indebted to Mr. J. N. Granger for calling our attention to the fact that today (July 31st) is the 28th anniversary of the big hail storm that struck Ashland and vicinity leaving nothing but devastation of all crops and vegetation in its path. Some of the hail stones were 13 inches in circumference and the ground was piled so thick with them that they lasted for several hours. The path of the storm was about six miles long and three miles wide. Many hogs and hundreds of chickens were killed. The storm came up from the northwest and all window lights facing that direction were demolished. Shingles were in great demand after the storm as many houses had to be entirely reshingled and all roofs in the entire town had to be repaired. Beautifully kept lawns the next morning had the appearance of lots where the hogs had been turned loose to root.

"We turned to the files of the Gazette of August 7, 1896, and found there a two column write-up of the storm which occurred the week before, after the Gazette had been printed. We quote a few paragraphs:

"The south side of Silver street looked like a wreck. Nearly every glass front was ruined, some of the larger lights costing \$50 and upwards. The telephone and electric light wires were knocked down so that the town was left in darkness and it took a large force of men to repair the damage. Sidewalks were covered with small limbs of trees, some of them several feet in length."

"It is impossible to form an accurate estimate of the losses, but they are enormous. Apart from the damage to crops in the country, the losses from broken glass and ruined roofs will run well up into the thousands. Probably I. L. Simington is the heaviest sufferer in this respect. His losses are estimated at \$1,500. E. A. Wiggenhorn comes next on the list. The slate roof of his magnificent residence is badly damaged, and it will require \$1,000 or more to repair all of his losses. Dr. Mansfeldt was also a severe loser, his loss falling principally upon his green house, which was the finest in this part of the state. He has a rare collection of plants. The roof to the greenhouse was entirely riddled and the plants were many of them badly damaged."

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