

The Plattsmouth Journal

C. D. QUINTON FREED ON PER-JURY CHARGE

MOTION OF DEFENSE TO QUASH INDICTMENT BECAUSE OF WORDING SUSTAINED

COURT RELEASES DEFENDANT

Case Suddenly Terminated in Ruling of Judge J. M. Fitzgerald of Omaha.

From Monday's Daily—

This morning the case of the State of Nebraska vs. Carl D. Quinton was terminated very suddenly at the morning session of the district court when Judge J. M. Fitzgerald of Omaha sustained the motion of the defense to quash the indictment thru defects in its charges against the defendant.

The defendant through his counsel, D. W. Livingston and Paul Jensen of Nebraska City and A. L. Tidd of this city, was given leave to withdraw his former plea of not guilty and submit therefore a motion to quash the indictment which was voted in November, 1923, by the grand jury and in which Mr. Quinton was charged with perjury in making reports of fees earned and collected in the office of county sheriff which he was then holding.

The court sustained the motion of the defense in all three counts of the indictment that had been returned by the grand jury and the case was dismissed and the defendant released from further action under this indictment.

The motion for the defense for the dismissal of the case was presented to the court by D. W. Livingston of Nebraska City, who offered many authorities to cover his contention as to the family phrasing of the indictment against the former sheriff.

The defense pointed out that the indictment did not set forth that the oath taken by Mr. Quinton in making his reports of fees was made by the defendant with the knowledge that it was false and untrue. It was also stressed by the defense that the indictment did not set forth the particular items that had been omitted by the defendant in his report as sheriff and that the report did not state that it was made to the board of county commissioners of Cass county. It was also claimed that the defendant was alleged to have made false oath and acknowledgement.

LEAVES FOR CALIFORNIA

From Tuesday's Daily—
This afternoon A. S. Willis departed for Los Angeles, California, where he is now located and after being here for some time straightening up some matters in regard to mining property in Mexico for which he was the trustee for a number of capitalists who were interested in the mining proposition in the southern republic. Mr. Willis, as the trustee for the mining property had some litigation here to close up which was an action brought against Mr. Willis, as the trustee of the mining company. The litigation was settled a few days ago satisfactorily to all parties and the closing of the case which is one of the last steps in winding up the affairs of the mining company allows Mr. Willis to go home.

SUFFERING FROM FLU

The family of Mr. and Mrs. John J. Cloidt have for several days past been having a real struggle with the prevailing malady of the flu which has taken down in varying stages the malady all of the family circle. Mr. Cloidt was the first victim of the flu and had hardly recovered sufficiently to be around when Mrs. Cloidt was taken with the malady and then the children, John, Rosemary and Ellen were each taken and with the exception of Mr. Cloidt the family are all confined to the home.

Blank books at the Journal office.

HEAVY RAIN NEAR UNION

From Tuesday's Daily—
Travelers who reached this city this morning from the south report that in the vicinity of Union for an area of two miles south of that place there was a very heavy rainstorm last night. The cars that reached here bore evidences of the journey through the mud and the rain was reported to have made the road very muddy for the two miles covered by the storm.

The threatening clouds that hovered over this city from 4:00 to 5:30 last evening caused some apprehension among the residents of this locality but the clouds peacefully rolled by with only a few drops of moisture to show that they had great possibilities. A stiff wind blowing brought recollections of the big tornado of twelve years ago and much worry to a number of the residents of the city and vicinity, but this community, as on that fateful day, was lucky in escaping the storm.

WALTER BURKE BOUND OVER TO DISTRICT COURT

Placed Under \$1,000 Bond and Remains in Custody of Sheriff in Failure to Raise Sum.

From Monday's Daily—
Late Saturday afternoon on the return of County Attorney W. G. Kleck from Nebraska City, a complaint was filed in county court before Judge A. H. Durbury, charging Walter Burke with possession and transportation of intoxicating liquor.

On the hearing of the case the defendant entered a plea of not guilty and the state proceeded to introduce its evidence. Harold Manners and James Zoubek were placed on the witness stand and offered their evidence of the fact that Mr. Burke had possession of liquor and that they had partaken of the same.

After the taking of the evidence, the court bound Mr. Burke over to the district court to answer to the charge, which, being a third offense, carries with it a penitentiary punishment if the court so sees fit. In failure to produce the bond, Mr. Burke was remanded to the custody of Sheriff E. E. Stewart.

The hearing of the district court and it is expected that the matter will be taken up within the next few days by Judge James T. Bealey.

The county attorney also filed a complaint against Harold Manners, charging him with having been in a state of intoxication and on which charges he made a plea of guilty and received a fine of \$10 and costs which was paid and the young man released from custody.

GAINS NOTORIETY

From Monday's Daily—
Fred W. Duda, of this city, who has recently been engaged as a driver of a "yellow cab" in Omaha, was brought into the spotlight on Saturday in the metropolis, that has gained for him more or less notoriety both in the big city and here.

Judge Sophus Nebbe, Jr., one of the presiding police court judges, was the direct cause of Fritz getting into fame. The judge had been particularly wrathful at the frequent violations of the traffic and auto laws, issuing from the bench a statement that the confines of the city were the only place calculated to cool the ardor of the speed fiend and the court announced that justice, swift and primitive would be visited on the next offenders that came his way.

Fred enters on the picture as he was an early morning caller Saturday while the wrath of the court was waxing high and was one of three culprits to face the full storm of judicial wrath.

Fred was gathered up while he claimed he was rushing to pick up a fare ahead of another driver and when placed before the bar of justice he made an earnest plea for release, the court having allowed all of the prisoners a half hour to compose their stories and pour them into his awaiting ear.

"If you put me in the jug, I'll probably lose my job and be back here again as a vagrant, like some of these I've seen this morning," was the story Fritz told the judge, and in recognition of the apparently truthful tale the judge only gave him a short period of repentance in the bastille that was to last until the evening hours came on. In addition, Fritz also had the honor of having his map snapped by the newspaper photographers and which adorned the Omaha News yesterday as a horrible warning to other speeders. Go slow my boy and watch your brakes.

CONFINED TO HOME

From Monday's Daily—
S. S. Chase, the well known meat market proprietor, is confined to his home by a very severe attack of the flu and the prevailing spring colds that have visited the greater part of the community. Mr. Chase has been confined to his bed for the past three days and is feeling far from well at this time although he is showing some improvement over the past few days.

PIONEER CITIZEN GOES TO LAST REWARD

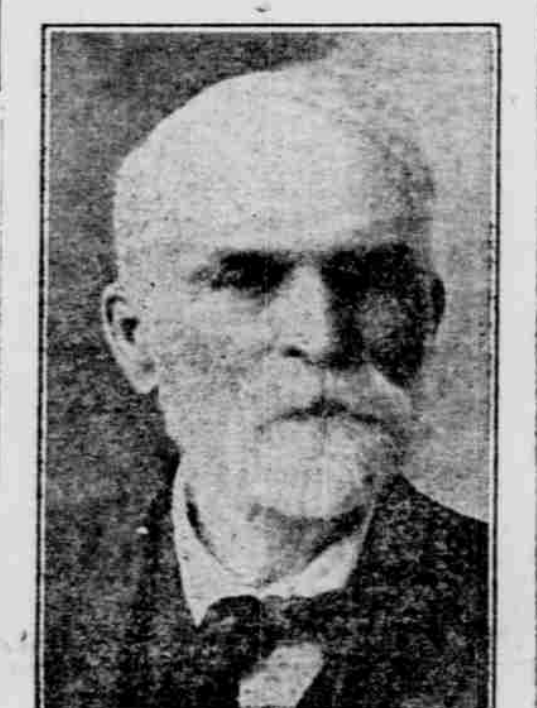
GEORGE W. SHRADER AFTER LONG ILLNESS DIES AT 8 O'CLOCK YESTERDAY

RESIDENT HERE SINCE 1865

Member of One of Best Known Families of County and a Native Son of the Old Dominion.

From Monday's Daily—

Last evening at 8 o'clock at the home of his son, Homer H. Shrader, with whom he has been living for the past year, George W. Shrader, one of the oldest and best known residents of eastern Cass county was called to his final reward. Death came following a period of several years of sick-



GEORGE W. SHRADER Pioneer Cass County Resident Who Passed Away Yesterday

ness during which time he has been practically an invalid and confined to the home for the greater part of the time.

At the time of death, Mr. Shrader was aged eighty-eight years, seven months and thirteen days. "Uncle George" as he was so well known over this section of Cass county, was born in Taswell county, Virginia, August 19, 1836, where he lived until twenty years of age, removing later to the west and locating in Livingston county, Missouri in 1856, where he taught school. In the year 1861, Mr. Shrader entered the southern army where his love for the old homeland called him and served to change in farming and settled on the Virginia tract. In the year 1864, after the close of the war, he came to Mills county, Iowa, and settled near St. Mary's near the mouth of the Platte river, on the Iowa side of the Missouri river, and the following year he came to Nebraska and settled in Cass county. For some time he followed freighting to Denver and western points and in this had many thrilling experiences of the pioneer days in the then unsettled sections of the country. Mr. Shrader later decided to engage in farming and settled on the farm nine miles south of Plattsmouth where he has spent the greater part of his time, farming and rearing to manhood and womanhood the family that had come to bless the home.

Mr. Shrader was married in May 1861, and at the old home the golden wedding anniversary was observed on May 9, 1911. Mrs. Shrader was fatally injured in the great tornado of March 23, 1913, twelve years ago, and which did a great deal of damage to the Shrader homestead. Since the death of the wife Mr. Shrader has made his home with the children who were living in the vicinity of the old home, until the removal of his son to this city and since which time he has lived here in Plattsmouth.

There remains to mourn his loss eight children, five daughters and three sons, J. D. Shrader of Adams, Mass., Robert Shrader of Murray and Homer H. Shrader of this city, the daughters are, Mrs. Alma Yardley, Mrs. Georgia Creamer, Mrs. Lula Wolf, Mrs. Jennie Kimm and Mrs. Verna Rhoden. There are also eighteen grandchildren, as well as two brothers, Z. W. Shrader and Joseph Shrader of near Nehawka, Marion Shrader and a sister, Mrs. Christina Holbrook living in Virginia.

In their loss the family will have the deep sympathy of the host of friends over the entire county, and the community will feel keenly the loss of this splendid citizen.

FOR SALE

White Wyandotte eggs for hatching, Plattsmouth phone 3005. Mrs. George Privett, Cedar Creek, Neb. m5-8tsw

Advertising with pay you.

ANNIVERSARY OF TORNADO

From Monday's Daily—
While the reports of tornadoes are filling the front pages of the newspapers, it is interesting to recall that twelve years ago today, March 23, 1913, this part of the west was visited by a severe tornado that did did much damage in Omaha and vicinity. The date was Easter Sunday and as warm as the weather today with a closeness to the atmosphere that was most noticeable and culminating in the terrific storm that broke about 6 o'clock over this locality. There was only a very heavy rain and hail here but in Omaha there was property damage reaching over \$1,000,000 and the death loss at 141. In the territory south of Plattsmouth there was also a great deal of damage and loss of stock. Mrs. George W. Shrader was killed in the tornado at her home, nine miles south of Plattsmouth.

CITY CONVENTIONS TO BE HELD ON THIS FRIDAY EVENING

Candidates for Councilmen and Members of Board of Education to be Selected by Voters.

From Tuesday's Daily—

Those who are interested in the city and the management of its business affairs in the next year and the seeing of the government in the hands of proper officials, should bear in mind that the two city conventions that will nominate candidates for city officers will be held on Friday evening of this week.

The candidates to be named are one councilman from each of the five wards of the city as well as two members of the board of education. The republican city convention will be held in the public library auditorium, while the democratic mass convention will be held at the city council chamber.

There is the need for every citizen who has the interest of free government at heart to get out and participate in the political affairs of the city, state and nation, and it is one of the main duties of citizenship for the man or woman to do their part in selecting the officers who will be called upon to serve the people during the coming biennium.

RECEIVES FALSE ALARM

From Tuesday's Daily—
Yesterday afternoon an auto traveler arrived in this city from the north and breathlessly announced that he had discovered a dead man lying along the highway near "Willview" but had not stopped to investigate and speeded on to this city to pass out the information.

Chief of Police Hinrichsen cranked up his faithful gas wagon and was soon speeding northward in hopes of reaching the scene of action before the man would be beyond help. When the car drew to a stop at the Willview crossing, the chief started out in search of the deceased and after a thorough frisk of the roadside walked over near the embankment that follows the railroad track and here the "corpse" was discovered peacefully lying in the warm spring sun. The man was sitting around, sunning himself and talking about being sore, the traveler who was thawing out the winter supply of cooties and dirt along the truck was nothing else. He gave his views of the condition of affairs when a peaceful hobo could not lay out along the road, and when the chief was heard by someone. The chief locating the true state of affairs, returned homeward and left the sunshine to the traveler.

SUFFERS A FALL

From Monday's Daily—
This morning, Frank Sedlacek, one of the accommodating clerks at the A. G. Bach lower Main street store, is having some difficulty in getting around as the result of an accident that he sustained yesterday afternoon and which he will not soon forget. Frank, with a number of companions, was sitting around the creek that spans the small creek at Fifteenth and Oak street and where the ground near the bridge is not the most solid in the world. The young man was not aware of the soft nature of the soil and the first intimation that he had that all was not well was when his companions shouted a warning to him, but too late, as the next thing that Frank knew he was in the bottom of the creek and suffering a very severe bruising of his 200 pound frame.

SELLS RESIDENCE PROPERTY

From Tuesday's Daily—
The Emil J. Hild residence on south Seventh street has been sold by Mr. Hild to Charles L. Martin of this city and the two families will, in the next few days, move to their new locations. Mr. Hild and family are moving to the Tritley apartments on South 9th street between Granite and Marble streets.

JURY FREES CARL FRICKE OF CHARGE

VERDICT FREEING FORMER SECRETARY OF LOAN ASSOCIATION GIVEN AT 3:30.

LAST GRAND JURY CASE

Case Sent Back From Supreme Court Is Decided This Time For the Defendant.

From Wednesday's Daily—

This afternoon the jury in the case of the State of Nebraska vs. Carl G. Fricke, returned their verdict at 3:30, freeing Mr. Fricke of the charges made in a grand jury indictment of having made false entries in his records as secretary of the Livingston Loan & Building association.

The testimony offered in the case was not of the character to draw the usual gallery of eager visitors, as the long discussions of figures and methods of bookkeeping were of a nature that held no interest for the spectator and gave more of a school-room atmosphere to the court.

O. M. Campbell of Lincoln, accountant for the state, was the main witness of the afternoon with his accounts of the alleged errors and entries made in the records of the books of the Livingston Loan & Building association of which the defendant was the secretary at the time.

Miss Anna Hassler, who has had charge of the books of the association since the failure of the association in 1922, was called to the stand and made identification of the various books that were offered in evidence by the state to cover the cases of false entries claimed to have been made.

H. N. Dovey, president of the First National bank, called to the stand and testified as to the methods of bookkeeping that were used in banks and also the system used in the building and loan associations. He also testified to the fact that Mr. Fricke had been employed in his book as a bookkeeper for a period of seventeen years, coming there when a youth and continuing there until after his selection as secretary of the building and loan association.

A. L. Tidd, who has been solicitor for the Livingston Loan & Building association, testified as to a check made of the books of the company by the witness and pointing out the differences in the figures shown on the books and that which he had secured in his audit of the books. The witness testified that he had taught bookkeeping in schools and colleges and also had made audits of the books of the M. W. A. and the sheriff's office here in addition to the books of the loan association.

Harry S. Barthold of the board of directors of the defunct association, testified as to the monthly meetings of the board of directors, the fact of the report of the report of the secretary had been accepted without question by the board and that the fact of the condition of the affairs of the association. He did not know of any statement of the defendant as not wanting an audit of the books of the association in 1921.

Frank E. Schlatter, also a former director of the association, was called and questioned as to the fact of the defendant having objected to an audit of the books and stated that he recalled only that the secretary had stated he did not think an audit was needed.

H. M. Soennichsen, former president of the Livingston Loan & Building association, was called to the stand and testified to the fact that Mr. Fricke had stated when the matter of the audit had been brought up in the summer of 1921 that the state examiner had been over the books and an additional audit would only make more expense for the association.

The state rested its case at 4:30 and at the conclusion of the state's evidence, Mr. Halleck Rose of the defense counsel, offered a motion to have the court take the case from the hands of the jury and direct a verdict for the defendant which was overruled by Judge Fitzgerald and the trial ordered to be carried on.

The first witness for the defense was F. L. Greenfield, accountant for the defense, who testified as to entries in the records of the Livingston Loan & Building association and pointed out the entries that were questioned as being made to correct errors or for the purpose of balancing the accounts and not to represent the cash transactions of the association.

"DULCY" IS TO BE PRESENTED AT THE HIGH SCHOOL SOON

Doane College Players will Offer This Attraction Under Auspices of the Junior Class.

From Tuesday's Daily—

The junior class of the Plattsmouth high school will offer at the high school auditorium on Friday evening at 8 o'clock, the Doane college players in "Dulcy."

This is a very high class attraction and the Crete Democrat in speaking of the presentation of the play there has the following:

"The presentation of Dulcy to a packed house, at the Sokol theatre Friday evening, November 14, by the Doane Players marked another achievement in the history of the dramatic movement at Doane under the able direction of Miss Mary Ellen Ingalls.

"Mr. Harold burdock, as Vincent Leach, a rapturous scenario writer, did an excellent bit of acting. Miss Irma Hoku, carrying the leading role as Dulcy fitted into her part enthusiastically and kept the audience breathlessly waiting to see just what trouble she would make next for her patient and long suffering husband. The part of the husband was taken by Mr. Ed Bayer, Dulcy, whose other name was Smith, was infected with an overpowering desire to be helpful to her husband thus giving rise to acute situations which furnished the comedy that gave the play success.

"Playing the role of C. Rogers Forbes, a rich capitalist with whom Smith is trying to put through an important business merger, Mr. Clarence Kubick did a bit of character work, which with the acting of Mr. Burdick was probably the best of the evening.

"Mr. Gordon Heyhoe, as William Decker, Dulcy's brother furnished a great deal of the humor, and eloped with Angela Forbes, daughter of the capitalist. The part of Miss Forbes was ably taken by Miss Ruth Osterhout.

"Schuyler Van Dyck, from Newport, who later turns out to be a harmless lunatic was portrayed by Mr. LeRoy Laase. Miss Edna Carlson, played the part of Mrs. Forbes and Bernard Klasek took the part of Blair Patterson, an attorney who came for the escaped lunatic.

"Henry, the butler, an ex-convict protégé of Dulcy, was portrayed by Mr. Charles Bayer, and he did an excellent bit of acting, keeping within his character throughout the play.

"Mr. Elmer Huffman took the part of Mr. Sterrett, advertising agent for Mr. Forbes, and was one of the three men to be in love with Angela.

From the standpoint of acting the play was a notable success. The character work was remarkable for non-professionals."

UNDERGOES AN OPERATION

From Tuesday's Daily—
John Iverson, Jr., of this city, who has not been in the best of shape for some time, is now at the Immanuel hospital in Omaha where he is to undergo a slight operation. John has been doing very nicely since reaching the hospital and hopes to be able to return home in a short time.

Save and THRIVE
25

Pennies Can Change a "Hous" Into a "Home!"

Little sums saved here and there by wise management and thrifty buying may be made to yield new comforts and conveniences of the home if they are gathered together in a growing Savings Account.

In Plattsmouth and vicinity are many thrifty women who are building up Savings Accounts at the First National Bank. We invite you to start a "Happy Home Account" here, too.

THE FIRST NATIONAL BANK
THE BANK WHERE YOU FEEL AT HOME
PLATTSMOUTH NEBRASKA
"The Bank Where You Feel at Home!"