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NO. 104

Preliminary Hearing of Case Against Dovey

Charged by State with Having Obtained Deposit of County Funds Thru Misrepresentation.

From Monday's Daily—
This morning in the county court before Judge A. H. Duxbury, the case of the State of Nebraska vs. George O. Dovey, cashier of the First National Bank, was called for trial, the defendant being charged with having obtained by deceit and misrepresentation county funds in excess of the sum of \$20,000, which was the amount covered by bond.

The case was one that attracted a great deal of interest, as the bank of which he had formerly been cashier, had closed its doors on December 14th, and numbers of those who had funds in the bank were present in the court room to hear the testimony in the case.

The state was represented in the hearing by County Attorney W. G. Kleck, while the defendant Dovey was represented by A. L. Tidd and W. R. Patrick, of Omaha.

The morning session of the court was taken over with the testimony of Miss Mia U. Gering, county treasurer at the time the deposit of the county funds was made and who has a civil action pending against the First National bank for the restoration of the funds.

Miss Gering testified on direct examination by Mr. Kleck as to the conversations held at the office of the county treasurer by the witness and the defendant Dovey as to the deposit of county funds, the witness stating that the defendant had requested that she as treasurer, deposit in the First National Bank additional funds over the \$20,000, which the bond of the bank had provided for. Witness claimed she had asked defendant as to the condition of the First National Bank as to its solvency and that the defendant had said, "Miss Gering, you can cut off my right hand if the First National Bank is not solvent."

Witness testified that defendant had stated that bank had no overdrafts. Miss Gering stated that defendant Dovey had agreed to provide bond to cover the county funds, but that she and that the bond would be ready at the bank. Witness testified that she had taken a check of the Missouri Pacific to the First National Bank on the afternoon of December 2, 1926, and had deposited it to the credit of Cass county, Nebraska, in the amount of \$24,000, made in payment of the railroad taxes. Witness claimed that she had asked defendant as to the bond to cover deposits and defendant had replied, "been so dog on busy had not had time to get the bond ready, but I'll get it tomorrow."

The witness testified that she had called the defendant by telephone and told him he had forgotten to bring the bond down, on the day following the deposit of the money. Defendant had said "father had been ill and could not sign bond." Witness testified that she had told defendant that she did not want a personal bond, but a surety bond; that defendant had then said "would get surety bond tomorrow."

The witness testified as to a later conversation with the defendant in which he had said "had a conversation with Mr. Hughes and he thought could give other securities and not have to go to the expense of a surety bond. The witness had replied, "you know what kind of a bond I want."

The cross-examination of the witness of the state's witness was very largely an attack on the witness and the conduct of her office and the making of the deposit in the First National Bank.

Mr. Tidd, of the defense, asked the witness as to her knowledge of the law requiring bond to be supplied to cover county funds. Witness was asked as to whether or not she had gone to the office of the county clerk to ascertain if there was bond on file to cover deposits. Witness stated that she found that bonds for additional deposits had been withdrawn by the First National Bank. Witness knew only bond on file was one for \$20,000 to cover deposits. Witness was asked by Mr. Tidd as to additional deposits made after December 2nd in the First National Bank. Witness stated that there had been one of \$21 on December 6th and \$277 on December 9th.

The defense then offered in evidence as part of the cross-examination the assessment records of Plattsmouth and several other precincts over the county, to which objection was offered by County Attorney W. G. Kleck, who claimed the defense was attempting to try Miss Gering and not the defendant. There was some argument offered by Mr. Tidd and Mr. Patrick as to the proper offering of the assessment books, the defense claiming the right to show by these books that sums in excess of the amount of bond had been made to other banks and this was a practice of the treasurer.

Objection was offered by County Attorney Kleck as to this form of examination as the only case involved was that of the First National Bank and the testimony would only encumber the record and was not pertinent to the case.

The court overruled the objection

of the state and the witness was then questioned as to the amounts that had been deposited with the various banks. The remainder of the morning session was taken up with the various deposits made to other banks.

At the afternoon session the matter of the deposits of county funds in excess of bond was taken up and under the ruling of the state supreme court the funds might be deposited in state banks in excess of half the capital stock and surplus was read and on which the court sustained the objections of the state to the questioning of Miss Gering on the matter of surpluses in other banks.

The defense in the closing argument held that the statute provides no crime for any bank to accept deposits in excess of the bond and that the responsibility for such acts was laid on the county treasurer and that the law permitted the banks to so accept funds.

The state contended that the penalty clause of the statute was sufficient and that the matter of the constitutionality of the law had not been passed upon as the amendment of the 1925 session laws had been passed upon.

The state contended that the matter was taken under advisement by Judge Duxbury until Wednesday afternoon.

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Notes from the Office of C. of C. Secretary

Secretary Feels the Call of the Approaching Spring—Matters of Interest.

This sort of weather makes me restless—the smell of the dirt, spring just around the corner—just a craving to be working in the garden. Coming from generations of farmers it's in the blood and won't come out. Remember as a young fellow, mellow mornings in April—going out onto the back porch, where miles and miles of rolling hills stretched to the south, the southwind fragrant with spring, the meadow-larks a-singing—and it was just good to be alive!

"The Heavens declare Thy glory"—etc. etc.

In my ramblings, have met so many men pretending to be in business which they were not. But, did you ever see a farmer who pretended to be anything but a farmer? The aristocracy of the agriculturist is a proud one—the finest life in the world, and filled with red-blooded independent men and women who today are the foundation of the entire structure of all wealth, all prosperity, in the world's business.

It used to be charged that the Country Gentleman was a "city man's farm paper." Today it is recognized by the entire farming world as the greatest agricultural paper in America. Looking over this paper for February picked up much of the information given there in—which to me is potent with interest, and importance.

In New Mexico Uncle Sam has found deposits of Potash, the most expensive and important ingredient in fertilizer, which will free this country from foreign control of this article. Now let's keep it free, without tariff to put an artificial price on it for the American farmer to pay.

Ten million dollars have been asked from congress to fight the spreading corn borer. This pest has crossed, in 1926, Ohio and has spread into Indiana and Michigan. In Ontario 35 of these worms in one stalk of corn. Eggs laid by a moth, making worms that eat the heart out of the cornstalk; turn into moths again, and around and around we go—"Waltz me around again, Willie, around, around."

One farm in Ontario that bore 85 bushels of corn in 1926 will not yield ten per cent of that, and corn land has dropped \$25 in value per acre. The farmers there are turning to sugar beets, barley, alfalfa and setting out grape vineyards.

Considering corn is KING in America, worth from two to three billion dollars per year, the importance of securing assistance to combat the corn borer is self evident.

In Saturday's Column, due to the length of the article, made several cuts in it, the last paragraph referred to another matter entirely foreign to the article as published, as it had been cut out, therefore, we make mention of this, as the last paragraph was misleading considering it referred to another paragraph that had been taken out.

"The success of the corn borer means we won't be able to feed cattle, and the corn-fed hog will be a thing of the past. It is urged every farmer reading this write his congressmen asking what is being done about this appropriation?"

As the success of every business is dependent on the success of the agricultural interests, it will be no trouble to have all your local Chamber of Commerce organizations cooperate with you in this great work which could be accomplished if you farmers would enroll with your local Chamber of Commerce generously, so that organization then could accomplish more—and it stands as squarely behind the agricultural interests as the mercantile.

Had you farmers enrolled with your local Chamber of Commerce all over this country the past ten years, you would have created by this time a powerful organization to fight for your interests for it would have the merchants fighting for you as well, and be prepared to put up the scrappiest fight in the world for legislation to assist the farmer in the greatest problem of the day—the spread of the corn borer.

Otherwise, it's peach trees, grapes, peanuts, goats, and dairies for you—and peanut fattened porkers.

In Virginia, Texas and other southern states, especially Florida, we have the "peanut" fattened hog! You put a strip of flabby, peanut bacon on the fire, and when it is fried out you have a quart of peanut oil, and an ounce of bacon. The packers make a nice cut in prices on peanut and sweet potato fattened pork.

The members of the Federation of

Nebraska Retailers are receiving a most cordial invitation from the Lincoln Chamber of Commerce to make that their headquarters while in Lincoln. We suggest the matter of radio broadcasting of merchandise be taken up by every member of this organization attending from Plattsmouth.

"Sure" looks good to see the cement foundations being put in at the "horn," by the Nebraska Gas & Electric Co. Counted over twenty men at work there Saturday.

W. G. DAVIS, Sec'y, C. of C.

DEATH OF H. J. HELPS

The information has been received here of the death at Long Beach, California, on January 23rd, of Henry J. Helps, for several years superintendent of the Burlington shops in this city. Mr. Helps was one of the best known and popular residents of the city in the years of his residence here, and the news of his death comes as a severe blow to the many friends in this community. He occupied the position of shop superintendent for a great many years up until 1908 when he resigned his position and was succeeded by William Baird. The family have since that time made their home on the Pacific coast at Long Beach, California. The funeral and burial was at Long Beach.

More Details of Accident in Omaha Saturday

Wreck That Caused Death of Two Cass County Men Given in Late Reports.

Two men, killed Saturday when a crack Burlington express train struck their automobile at Twelfth and Missouri avenues, were positively identified as H. L. Philpot of Weeping Water, and his cousin, Wendell Coatsman of Avoca, Neb.

Philpot is survived by a wife, four sisters, Miss Mamie Philpot, Mrs. Roy Schell of Berkeley, Neb., Miss Etta Philpot and Mrs. Lily Andrews of Sidney, Neb., and his parents, Mr. and Mrs. John Philpot, 3621 South Twenty-fourth street, Omaha.

Coatsman is survived by his parents, Mr. and Mrs. Z. A. Coatsman of Avoca. Philpot and Wendell were killed when they were driving by Philpot, skidded in front of the express train, which was said to have been traveling 50 miles an hour.

The two men left Avoca at 7 a. m. Saturday with a load of cattle for South Omaha and had delivered the cattle and were on their way to the Missouri river to dump the refuse when the accident occurred.

The dirt road leading to the river, which crosses the railroad tracks, was slippery, and police believed the truck started slipping and skidded directly in front of the train.

The impact of the crash was so great that the shoes were torn from the feet of both men. Coatsman was killed outright and Philpot died on the way to the hospital.

The bodies of the two men were hurled 50 feet from the accident and landed in a drainage ditch. Parts of the truck was found 100 feet from the accident.

The train which struck the truck was the fastest train on the Burlington between Omaha and Chicago, running the distance in 12½ hours and carrying no passenger coaches.

MOVES GROCERY STORE

The W. A. Wells grocery store that has been located on South 6th street has been moved to the Masonic building on Main street between Fifth and Sixth street and here Mr. Wells will be ready in the next few days to receive his patrons and friends both new and old.

The location is one that is very much suited for a business of this kind and the store rooms that he will have is bright and attractive and one that will make an ideal surrounding for a place of this kind.

Mr. Wells has a fine stock of goods and the new store will give him an ample place for their display and centrally located is accessible from all parts of the city.

HOLD PLEASANT SESSION

Members of the Cass county Vitalized Course held a very interesting session Saturday morning, January 22 in the office of Co. Supt. Alpha C. Peterson. As an opening number Miss Hazel Clugy gave one of her repertoire of humorous selections which more than pleased her audience.

Plattsmouth Bridge Bill in U. S. Senate

Senator R. B. Howell Introduces a Measure Similar to One Proposed by Congressman Morehead.

From Tuesday's Daily—
The bill authorizing the construction of a wagon and auto bridge over the Missouri river at Plattsmouth was introduced yesterday in the U. S. senate by Senator R. B. Howell, the senior senator from Nebraska.

The measure authorizes the Nebraska-Iowa Bridge Co. to construct and operate a bridge over the river at this point and provides that the bridge may be either a free or toll structure and after erection may be purchased by state or government and operated as a free structure to connect the states of Iowa and Nebraska.

This bill is similar to the one that was introduced in the house of representatives a few weeks ago by Congressman John H. Morehead in the interest of the erection of a bridge structure here which has been advocated by the residents of the section of the state and which is one of the structure proposed in the program of the Nebraska bridge program.

The congressman and senator have given the start to the bill that will boost the bridge proposition and which should have the earnest support of every resident of the central portion of the state for a bridge here as well as the other points over the state where they are so much needed.

Every community that has been made a part of the bridge program have real need of the bridges and none more so than Plattsmouth and the south central part of the state of Nebraska.

From Iowa and Nebraska alike comes the strong sentiment of support for the bridge program and the towns and territory that are tributary to this portion of Nebraska and Iowa are strong in their sentiments for the erection of a bridge structure at Plattsmouth that will save the residents of the adjacent territory and the public necessity of long detours and miles of travel to reach their destination.

FUNERAL OF MRS. CHALOUPEKA

The funeral services of the late Mrs. Anton Chaloupka were held this morning at 10 o'clock from the Holy Rosary Catholic church and very largely attended by the host of old friends and neighbors to whom the sudden death of this estimable lady had come as a great shock and removed from the community a lady universally respected and esteemed by all who had the pleasure of knowing her.

The requiem mass of the church was celebrated by the Rev. Father J. Hanicek, rector of the church and with Monsignor M. A. Shine of the St. John's church offering the sermon that paid a tribute to the memory of the departed.

Since the death on Friday morning the body of Mrs. Chaloupka has been at the home of her eldest daughter, Mrs. Charles Vitousek, from whose home it was taken to the parish church nearby for the last rites.

The deceased lady was the daughter of Tomas and Marie Sedlacek and was born May 28, 1849, in Moravia, and came to this country when a young woman. She has been preceded in death by her helpmates, and leaves of her family five children, Mrs. Charles Vitousek, James Newasek, Mrs. Hermie Hiber, Miss Sophia Chaloupka, all of Plattsmouth and Frank Chaloupka of Denver. There are also several grandchildren to mourn her death. Her brother, Cyril Janda of this city also survives her passing.

GIVE SHOWER FOR FRIEND

Last evening the members of the Yon Tro club, composed of a group of young ladies of the city, met at the home of Miss Dorothy Sattler and the occasion was in the nature of a linen shower in honor of Miss Elsie Nelson, whose marriage to Mr. Roy Perkins occurred today. In honor of the occasion the guest of honor received a number of very handsome and attractive gifts and the evening was spent in a series of games and in giving much sage advice to the bride to be. At a suitable hour dainty and delicious refreshments were served by the hostess who was assisted by Miss Betty Sittman in serving.

FIGURES INDICATE NEBRASKA POPULATION 1,396,000 IN JULY

Washington, Feb. 1.—Computations by the government's census experts indicate that the population of Nebraska on July 1, 1927, will be 1,386,000, nearly 100,000 since 1920, and 11,000 since 1926.

An increase of 2,000 since 1926 in Iowa giving that state a total population of 2,425,000 is predicted.

CAR STILL MISSING

From Tuesday's Daily—
The Pontiac coach taken from the garage of Frank Blotzer sometime Sunday night is still among the missing according to the reports received here at the office of Sheriff Bert Reed. The car is now reported to have been driven across the Platte river bridge north of this city headed for Omaha and told the toll keeper that he was taking the truck tire to Omaha to be one occupant, supposed to be the young man employed as night man at the garage. Report has also reached the office of Sheriff Reed that the missing man was seen in an Omaha restaurant about 4 a. m. Monday morning. Efforts are being made to locate the man and the car in Omaha by the police department of that city and it is hoped that the man taking the car may be captured and the car turned back to the owner. When crossing the bridge the driver of the car told the toll keeper that he was taking the truck tire to Omaha to be placed on a truck at that place that was out of commission and the owner desired to get back to Plattsmouth.

Recover Stolen Parts of Murray Movie Machine

Discovered Yesterday Afternoon by Two Young Men Hid South-east of Murray.

From Tuesday's Daily—
Once more the joys of the cinema will be known in our neighboring town of Murray and the movies may now go on unobscured as the result of the discovery of the missing parts of the machine that serves the movie fans of Murray at the Peterson hall.

Yesterday two sons of Ed Schoemaker, residing two miles south and a half mile east of Murray were engaged in building a fence and in their operation had the occasion to tear out a part of the hedge on the place and with the result that in the hedge and carefully covered with weeds they located the missing projector from the Murray moving picture machine.

As soon as the discovery was made one of the young men remained on guard while his brother hastened to a telephone and informed Sheriff Reed of the find and who hastened to the scene of action and recovered the parts and restored them to the owners at Murray and who needless to say were very much pleased at the recovery of the projector.

Who took the projector will probably remain a mystery as there was no clue as to the parties aside from the first suspicion and now that the parts are restored the matter will probably remain a closed chapter.

SHOWER FOR BRIDE

In honor of Mrs. Earl Harris, one of the brides of the winter season, Mrs. Oliver Harvey and Mrs. George W. Goodman entertained very pleasantly at the Harvey home the last of the week at a shower that was attended by some thirty of the friends of the bride.

The occasion was most pleasant for all of the members of the party and in honor of the occasion Mrs. Harris, who is to make her home in the future at Shenandoah, Iowa, received a large number of handsome gifts that will go toward beautifying the new home.

At a suitable hour dainty refreshments were served by the hostesses that added very much to the enjoyment of all of the group that were in attendance.

TREASURY DEPARTMENT

Office of the Comptroller of the Currency, Washington, D. C., January 31, 1926.

Notice is hereby given to all persons who may have claims against "The First National Bank of Plattsmouth," Nebraska, that the same must be presented to Fred Buerstetler, Receiver, with the legal proof thereof, within three months from this date, or they may be disallowed.

CHARLES W. COLLINS, Acting Comptroller.

JOURNEYING TO THE EAST

Yesterday morning a party of young men from this community started out to see adventure and employment and instead of taking the advice of the great journalist, Horace Greeley, to go west, the quartet decided to head east where they feel that employment in the industrial lines are greater than in the west.

The party was composed of Edgar Newton, Gus Whitley, Peter Heineman and Dick Curtis. The members of the party have their destination set as Pittsburg, Pennsylvania. They are making the trip via the auto of Mr. Newton.

A few of the Cass county maps showing every man's farm are left. You can get one at the Journal office for 50c. Hurry, before they're gone.

Young People are Married at M. E. Parsonage

Miss Elsie Nelson and Mr. Roy Perkins Joined in Wedlock This Afternoon.

From Tuesday's Daily—
A very quiet wedding was celebrated this afternoon at 3 o'clock at the parsonage of the First Methodist church when Miss Elsie Nelson was married to Mr. Roy Perkins.

The wedding was a very quiet and impressive ceremony and was attended by only the immediate members of the family of the bride and the Soror family.

The marriage lines were read by the Rev. Harold E. Sortor, pastor of the First Methodist church and the impressive ring service was used in the performance of the marriage service.

The bride wore a very charming gown of ashes of rose georgette crepe while the groom was garbed in the conventional dark suit.

Following the wedding the bridal party were entertained at family dinner at the Nelson home that was the occasion of the young people receiving the well wishes of their relatives on their new found happiness.

Mr. and Mrs. Perkins will be at home to their friends at the new home in the Cornado apartments that the groom has awaiting the coming of the bride.

The bride is a daughter of Mr. and Mrs. John Nelson and has made her home in this city for the past few years and was a graduate of the class of 1925 of the Plattsmouth high school. Since leaving school Miss Nelson has been a very active worker in the social life of the city. The bride has also been very active in the work of the First Methodist church of this city.

The groom has made his home in Plattsmouth for the past four years and is one of the employes of the Burlington at the local shop and a young man held in the highest esteem of a large circle of friends and acquaintances.

Mr. and Mrs. Perkins will receive the well wishes of their many friends on the happy occasion.

SOCIAL WORKERS MEET

From Wednesday's Daily—
Yesterday afternoon the members of the Social Workers class of the First Methodist church enjoyed a very fine meeting at the home of Mrs. R. B. Hayes near Garfield park and which was largely attended by the members and enjoyed to the utmost by all of the members of the party. A short program was enjoyed as a part of the afternoon program. Mrs. Sam Moyer giving a very delightful reading while Mrs. William W. Weber gave a most charming vocal selection that added to the pleasures of the occasion.

Each of the members are requested to give some story of their childhood days and which added very much to the pleasures of the members of the party. As a part of the afternoon entertainment each member was requested to shake hands with the others and to get thoroughly acquainted and which added to the enjoyment of the crowd.

At a suitable hour dainty refreshments were served by Mrs. Hayes and Mrs. Fred Kissling who was assisting in the entertaining and serving.

ENTERTAINS AT DINNER

The hospitable home of Mr. and Mrs. W. R. Young in the south portion of the city was the scene of a very pleasant gathering on Sunday when they entertained a number of friends at one of the delicious dinners that Mrs. Young is famous for preparing. The members of the party also made a visit to the Nebraska Masonic Home where they inspected the fine institution and were very much impressed with the great institution that the Masonic fraternity had erected to care for the aged and sick of their order and the Eastern Star. Those who were guests of the Young home were: Mr. and Mrs. Henry Ost, Ashland; Mr. and Mrs. Nelson Berger, Nehawka; Mr. and Mrs. George Tiedji and Mrs. Mollie Berger of Omaha, Mr. and Mrs. Fred Smith and son, Gerald, Mr. and Mrs. Raymond Berger of Plattsmouth.

SOME REAL PRICES

The past few months Rex Young has brought into Cass county fifteen head of purchased high-grade Holstein cows which means the dairy is coming into its own. Also there were tested within the limits of Plattsmouth for T. B. over 400 cows, which with those in out-lying districts, shows this vicinity is well able to handle a cheese factory, and such a proposition would tend to stimulate the dairy business in this community.

Yesterday at Cliff Robert's sale, Holstein cows, one cow brought \$150 and the herd averaged \$116 per head, showing the interest in dairy cows being manifested here. \$150 and \$116 per head for dairy cows, shows Rex Young is a "bear cat" of an auctioneer.

Journal Want Ads bring results.