

The Plattsmouth Journal.

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NO. 98

Cedar Rust Law is Sustained by Federal Court

Action Brought by Large Group of Cass County Farmers to Have Law Declared Void.

The right of the state of Nebraska to destroy rust infested cedar trees within two miles of any orchard having 1,000 or more apple trees, was upheld Saturday by the United States district court.

Action was brought by a large group of the residents of the vicinity of Union, contending that the law was unconstitutional and that it was destroying property without proper rights, that the trees were ornamental and also valuable as wind breaks and snow barriers, that the trees carried a sentimental value since many had been planted by the pioneer settlers of this part of Nebraska under the leadership of J. Sterling Morton.

The law covering the destruction of cedar trees, which trees are rust carriers and which rust injures apple trees, was introduced in the last legislature by Senator W. H. Pitzer of this district.

The decision as to the constitutionality of the law was given by Judge W. S. Kenyon of Iowa, one of the three judges who heard the case in Omaha. The opinion of the court was that the law was constitutional and that it was a proper exercise of the police power of the state to destroy the trees.

The court decision will probably mean the removal of a large number of the trees in the vicinity of Union where large apple orchards are maintained and where a great many of the cedars are growing, planted by the early settlers of that part of the state.

CAPTURE CAR AND BOOZE

Late Sunday night Officers Dave Pickrel and Roy Stewart discovered a Chevrolet coupe which was parked near Third and Main streets with a young man sitting in the car. Investigation disclosed that the car was stalled and that it also was occupied by some four gallons of liquor. The liquor was found in the rear of the car and the car with the occupant taken to the city jail for investigation. The young man in the car denied the ownership of the liquor or the car, claiming to have been merely a passenger in the car with some friends from Tabor. The car bore a Fremont county license. The young man found in the car stated that the owner of the car had made his escape from the scene just before the arrival of the officers. The man and car were turned over to Sheriff Homer Sylvester for investigation and to have charges filed by the county.

DEATH OF LITTLE BABE

From Monday's Daily
The home of Mr. and Mrs. Wiley Sigler was sorrow stricken Sunday when the little twenty-six months old daughter, Alice Marie, was called from their family circle by death. The little one has suffered from pneumonia for the past two weeks and gradually grew worse until death. She was taken to Omaha several days ago for treatment, but failed to rally and despite all that medical skill could do or loving hands provide, was unable to stand the strain of the attack. The little one is survived by the parents and one brother and sister, Granville and Jaunita.

VISIT AT FALLS CITY

Mr. and Mrs. Waldemar Soenichsen, Mr. and Mrs. B. A. Rosenmans and Mrs. Mary Hickman, spent New Years at Falls City. They were guests at the home of Mr. and Mrs. Jack Davis, former Plattsmouth residents. The members of the party enjoyed a very delightful time in the Orchard county city.

MANY ENJOY DANCE

The annual firemen's ball which was held at the American Legion building on Saturday evening, was largely attended by the residents of the community, taking this means of bidding farewell to the old year of 1932. The members of the dancing party enjoyed the music of the Marshall orchestra until the midnight hour when the greetings were extended to the year 1933 as it appeared on the calendar of time. The firemen had sold a large number of the tickets for the ball and will realize a neat sum for their fund, a most worthy cause.

New Years is Very Quiet in Plattsmouth

Watch Parties and Social Gatherings at Homes Greet the Coming of the Year 1933.

The New Year was a very quiet one in this city, with no formal observance of the occasion beyond watch parties and social home gatherings on New Year's eve.

The Epworth League held their annual watch party at the Methodist church to welcome the new year, a large number being present to take part in the delightful time that had been prepared for them. The program of the evening included a large number of games planned by the social committee and which were much enjoyed. The members of the group awaited the coming of the new year with a short song and devotional service as the midnight hour arrived that marked the passing of the old year.

The St. Paul's church was the scene of one of the pleasant watch parties of New Year's eve, a large number being present to enjoy the event and to participate in the devotional services that welcomed the year.

The homes of the city were scenes of many social gatherings of friends on New Year's eve to greet the new year in a fitting manner, making a most pleasant welcome for the year that all are hoping will show an upturn and advancement for the world.

SCHOOLS RESUME WORK

From Monday's Daily
This morning the Plattsmouth city schools resumed their activities following the Christmas vacation, with all of the teachers being on hand and a normal enrollment of the pupils of the school.

There has been a great deal of sickness among the staff of teachers as well as the pupils during the vacation time, but all of these were able to be present this morning when school met.

F. A. Rothert, manual training teacher, Miss Cora Williams, music supervisor and Miss Amara Hiatt, were the most seriously ill of the teachers and all compelled to spend their vacation period at their homes and under medical care.

The half year of school will be completed on January 20th and the term close in May.

FUNERAL OF MRS. BERGMANN

From Monday's Daily
The funeral of Mrs. John Bergmann, Sr., was held this morning at 9:30 from the St. John's Catholic church. The church was filled by a large number of the old friends of the family of many years standing, who came to attest their respect for the departed lady.

The requiem mass was celebrated by Father George Agius, pastor of the church, who gave the last rites to the departed.

The body was consigned to the last long rest in the Catholic cemetery in the west portion of the city beside that of the husband who preceded her in death several years ago.

SUFFERING FROM HIVES

Mrs. Fred Trilety has been quite ill at her home for the past week, suffering from an attack of the hives which has proven quite serious and kept the patient bedfast for the greater part of the time. The two children of the family have also been ill with the flu, making the home a small hospital.

William Baird is New Head of Platts. C. of C.

Searl S. Davis as Vice-President and Fred I. Rea as Treasurer of Organization.

From Wednesday's Daily
The annual meeting of the Chamber of Commerce was held last evening at the public library to select their new officers and to hear the reports of the various committees.

The committee selected to prepare nominations reported the name of William Baird for the position of president of the Chamber of Commerce and despite the fact that Mr. Baird attempted to check the movement, the members with a rousing voice elected Mr. Baird to the office and which he agreed to take if the Chamber of Commerce would give him Searl S. Davis as vice-president and Fred I. Rea as treasurer for the term. The wish of Mr. Baird was granted and the club started on its new year.

Mr. Baird, the new president, gave a few remarks expressing his appreciation of the pledges of support from all of the membership present in the work of the ensuing year, which would be one of importance to the city and to the nation. He also announced that committees would be appointed as soon as possible to start in the new year.

Fred I. Rea, treasurer of the Chamber of Commerce reported that the past year the budget had been set at \$780 and that \$634.16 had been collected and from which \$350.89 had been expended, leaving a balance of \$283.27.

C. C. Wescott, chairman of the industries committee, gave a short report of the committee, covering the opening of the Norfolk Packing plant the past summer as well as the committee contacts with other prospective industrial plants. These included an airplane erecting company that had wished to locate here to manufacture a low priced plane of which the company had secured the American rights, is being a German designed plane. This would be taken up again later, Mr. Wescott stated.

R. W. Knorr, head of the retail section reported that his department had a very active year, originating and putting on special features for almost every month of the year and which had been financed each time so that there was no outstanding claims as they were closed. This had been done purely among the business men with a contribution from the Chamber of Commerce for the Korn Carnival. Among the projects that had been sponsored were Rooster day, Merchants trade nights each week, the Korn Carnival, and in which Mr. Knorr thanked H. G. Soenichsen, Superintendent L. S. Devoe and Dr. G. L. Taylor for their work in the event, as well as others for their co-operation, the Pancake day, Turkey day and finally the Santa Claus activities that had closed the year.

President H. A. Schneider who was presiding, stated that the Korn Carnival had been one of the most successful community events that he had witnessed and had brought in many to enjoy the event from all sections and in the event the entire community had entered.

E. A. Webb of the publicity committee reported that he and R. Foster Patterson had secured much publicity in the Omaha papers in the past year for the city.

T. H. Pollock of the agricultural committee reported that the Plattsmouth Produce of which George Herrick is the manager, had made a great advancement in the past year and that the plant at the local creamery was turning out increasing amounts of butter. The year had been the largest that the creamery has had and in the butter manufacturing there had been 150,000 pounds prepared and the coming year it was hoped to more than double this as the residents of the community were more and more joining in the support of their home institution.

The report of the good roads committee was given by President Schneider, touching the fact that last year the "O" street paving project was launched and paving had

been started on both ends of the highway. On the unpaved section of No. 75, north of this city, Mr. Schneider reported that the state and federal road departments had endeavored to reach some agreement with the owners of the sand pits for a right of way but were unable to get results in time for the work to start this year. The state was preparing to make a reasonable offer and if not accepted to start in on condemnation proceedings. That an overhead crossing at Orepolis was a definite part of the plans for the paving was assured by Mr. Schneider. The Chamber of Commerce had also supported moves for the graveling of the Louisville and Murray roads west as well as the highway from Louisville south to the county line.

Mayor John P. Sattler in his remarks urged that the legislature be asked to enact a law that would permit cities to have a part of the gas tax and auto license fees for highway maintaining. In this Mr. Sattler was joined by Attorney A. L. Tidd, who reported that a committee of the bar association of Cass county was at this time preparing to draft a bill for presentation to the legislature along this line. There was some discussion of this matter and which will be closely followed by the legislative committee of the Chamber of Commerce at the legislature.

George J. Jeager, superintendent of the BREX shops was present and urged that as one of the moves for civic betterment that the bridge over the Missouri river should be free if the means of securing its purchase could be found.

Superintendent L. S. Devoe discussed several plans for aiding of the Korn Carnival the coming fall and general community co-operation, a talk that was very much enjoyed by all of the members of the Chamber.

T. H. Pollock called the attention of the Chamber of Commerce to the fact that the government was making expenditures of considerable amounts in inland waterway improvement, that this city should see that they received their portion of the funds. Mr. Pollock urged that the Chamber of Commerce take what steps would be necessary to get in touch with the heads of the construction work on this section of the river.

Mr. Baird, the new president, who had taken the chair, urged the support of the Norfolk Packing Co., which would probably enlarge their lines of operation here the coming year to include many lines of vegetables. He suggested a gathering of the residents of the nearby community here so that they might have an actual demonstration of the products of the company and support of its program for more acreage for the raising of vegetables for the market.

The Chamber of Commerce directors will hold their next meeting on January 19th.

FACE A STIFF GAME

The Plattsmouth high school basketball squad will journey to Nebraska City on Friday evening to engage the Oteans in what should be one of the stiffest games that the locals will face. The blue and gold have several veteran players on their team and who have been going well this season. Maynard and Kastner, well known in high school athletic circles, being members of the quintet. The Platters resting from the Christmas vacation resumed their workouts Monday night and were run through a strenuous practice and will be given workouts each afternoon in preparation for the Nebraska City game. The team showed well in their work against the alumni last Friday, improving over the opening contest with Ashland. A large number of the fans are expected to accompany the team on the journey to our neighboring city.

MARRIED AT UNION

Clifford E. Sutton and Miss Blanch Atkinson, residing south of this city, were united in marriage at Union on New Year's day. The ceremony was performed by the Rev. W. A. Taylor, pastor of the Baptist church of Union and witnessed by Mrs. Taylor and Harlan Atkinson, brother of the bride.

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Woman's Club Pays Tribute to Mrs. Whitfield

Part of Regular Session of Club Devoted to Memorial for Departed State President.

From Tuesday's Daily
The Plattsmouth Woman's club at their meeting last evening at the home of Mrs. L. D. Hiatt, held a short memorial service in honor of Mrs. W. W. Whitfield of Lincoln, state president, whose death occurred last week.

The devotional period was in charge of Mrs. W. L. Heinrich and was followed by the memorial services participated in by all of the members of the club. The members joined in the singing of the hymn, "Nearer My God to Thee" at the close of which all stood in silent prayer for the memory of the departed president and co-worker in the Nebraska Federation. Mrs. Lois Troop gave a beautiful memorial poem, "In Memory."

The program of the evening afforded a treat in two of the young musicians of the city being heard, Miss Alice Hiatt giving two violin selections and James Begley, Jr., two delightful vocal offerings. Miss Cora Williams served as accompanist for the young people.

Mrs. James T. Begley gave a most interesting talk on "Law Observance and Delinquency," covering many of the causes for present crime outbreaks and the growing number of the young who are found in lives of crime, suggesting remedies that might check this menace of the present day.

At the close of the evening the hostesses, Mrs. Hiatt, Mrs. A. H. Duxbury, Mrs. Sidney Bell, Miss Lillian White and Mrs. R. J. Larson, served dainty and much appreciated refreshments.

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DEMOCRATIC REPRESENTATIVES

From Tuesday's Daily
When the state legislature was convened at Lincoln today, for the first time in several years, Cass county's representatives in the lawmaking body were all of the democratic faith, Senator William B. Banning of Union and Representative George E. Nickles of Murray, responding for Cass county. Senator Banning is a veteran of many years service that dates back to 1909 while Mr. Nickles is entering on his first experience in the state legislature.

Senator Banning had definitely refused the consideration of his name for president pro tem of the senate, giving way to Senator Frush of Saunders county, another of the veterans of the legislature. Mr. Banning prefers to remain a leader on the floor of the legislature where his experience will be of great benefit in helping to shape legislation for economy and tax reductions, measures which the democratic legislature has pledged themselves.

MAKES EXCELLENT SHOWING

With the close of the year 1932, the office of the county judge shows one of the best years in the history of the office and a neat profit over all expenses which is being turned over to the county general fund. The receipts of the office for the past year were \$4,179.81 as against \$3,787.91 for the year 1931 or a gain of \$391.90. The office receipts showed a profit for the office over all expenses of \$899.81 for 1932 as against \$447.91 for 1931, making the office a money maker for the county.

The marriage license department over which "Cupid" Farmer presides, shows that 215 couples were given permits to wed during the year of depression, as against 115 for the year 1931.

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START ON NEW SCHEDULE

From Tuesday's Daily
The BREX shops in this city today started on a new schedule of working hours today. The shops start their work at 7:45 in the morning, take a full hour at noon and quit work at 3:45 in the afternoon. Formerly the shops started their work at 8 o'clock in the morning, had a half hour for dinner and closed at 3:30. The shops will operate on their full working schedule and with all of their force, there being a great deal of work on hand at this time.

Rotarians Look Ahead into the Coming Year

Meeting Tuesday Hears Talks by Local Community Leaders on Prospects of Year.

The members of the Rotary club Tuesday at their luncheon had the pleasure of hearing from several of the community leaders on "The Year of 1933," covering several lines of activities and the prospects for the coming year.

Mayor Sattler discussed many needed changes in the laws that governed the cities of our class that would enable the cities to better handle their affairs. The equalizing of the tax problem which is one of the great burdens of the present day was also discussed at some length.

R. W. Knorr, head of the retail section of the Chamber of Commerce, gave a few remarks on the future of 1933 from a commercial standpoint and the possibilities that the year should offer in the gradual lifting of the depression clouds.

Superintendent L. S. Devoe gave a fine review of the school work for the past year and the plans and programs for the coming year in the city schools and also in the educational world at large.

E. J. Richey was a guest of the meeting and presented to the members a plan that he had given much thought, that of an allotment plan for the handling of the crops of the farms by means of co-operation of farmers and bankers in financing and handling on allotments, the various crops. The idea was one that impressed all of the members and was followed with the greatest interest by all of the club.

The high school students who will be members of Rotary for January were introduced, they are Robert Rummel, senior, and George Mayabb, junior.

The meeting was under the leadership of E. A. Wurl.

RECEIVES SAD NEWS

Mrs. Mary G. Whelan of this city has received the announcement of the death of her nephew, Arthur Hanrahan, the second oldest son of John Hanrahan, a brother of Mrs. Whelan. The father died suddenly on December 8th at Chicago while en route from his home to church, the son being called home from Tucson, Arizona, where he was at the U. S. Veterans' hospital. On returning to the hospital Arthur Hanrahan contracted a severe cold and on reaching Tucson developed pneumonia, dying on Christmas eve. The body was brought to Chicago where the funeral services were held, a church and military funeral being given the departed who was a veteran of the world war.

SUFFERS FROM ILLNESS

From Wednesday's Daily
Harold Jordan, teacher in the commercial department of the high school, has been suffering from illness for the past few weeks and which has become so serious that he was unable to teach Tuesday and today. The illness seems to be in the nature of a nervous attack and stomach trouble that has been quite serious.

HAS HAND INJURED

Arnold Schomaker suffered a severe injury to his hand while sharpening a pair of scissors at his home. He was given medical aid and the hand is getting along nicely at this time.

Home Chapter, Eastern Star, Installs Officers

Large Number Attend Ceremony at Masonic Temple Last Evening; Mrs. A. H. Duxbury, W. M.

From Wednesday's Daily
Last evening at the Masonic temple Home Chapter No. 189, Eastern Star, held their installation of officers for the ensuing year, a large number of the membership being present to enjoy the occasion.

In the installing of the new officers, Mrs. Etta Gorder served as the installing officer, Mrs. Ralph M. Wiles as marshal and Mrs. Ren McMaken as chaplain.

The officers installed were as follows:
Worthy Matron—Mrs. A. H. Duxbury.
Worthy Patron—H. L. Gayer.
Associate Matron—Mrs. H. F. Nolting.
Associate Patron—Lester Meisinger.

Secretary—Miss Clara Weyrich.
Treasurer—Miss Mary Peterson.
Conductress—Mrs. Raymond Cook.
Associate Conductress—Mrs. L. W. Niel.

Chaplain—Mrs. Martha Peterson.
Marshal—Mrs. Richard Beverage.
Warder—Mrs. R. J. Larson.
Sentinel—William Kreager.
Organist—Miss Marjorie Arn.
Adah—Mrs. Earl Becker.
Ruth—Mrs. C. L. Wiles.
Esther—Mrs. Leonard Born.
Martha—Mrs. Charles Barrows.
Electa—Mrs. H. L. Gayer.

The members of the chapter enjoyed a delightful informal program during the evening provided by the members and which was much appreciated.

Superintendent L. S. Devoe gave two delightful vocal numbers, the accompaniment being played by Mrs. Devoe.

Mrs. Charles Barrows of Murray was heard in two of her always delightful readings and which gave this talented lady a fine opportunity for her artistic work as a reader.

Mrs. John E. Schutz and Mrs. Harry Nielsen were heard in a vocal duet of much beauty and charm.

At the close of the evening the members of Home chapter from Murray were hostesses and served dainty and delicious refreshments.

DIES IN CALIFORNIA

Mrs. M. J. Gillespie, 77, a pioneer resident of near Gretna, passed away Sunday morning at Santa Ana, California, word received by relatives at Gretna state.

Mrs. Gillespie was the mother of Dr. Edward J. Gillespie, who was located here for several years in the practice of medicine and she had been a frequent visitor here while the son was located in Plattsmouth.

The family were among the earlier settlers of Sarpy county, but of late years have resided at Randolph, where the husband died some two years ago.

Mrs. Gillespie had gone west last year in hope of benefiting her health. Death came suddenly. Two sons, Dr. Ed and Dr. Paul Gillespie, and a daughter, Annie, were at the bedside.

The body will be taken to Gretna for burial next Saturday. Pallbearers will be her seven sons, Dr. Harry of Hartington, Joseph of Bloomfield, John and Frank of Randolph, William of Gretna, Dr. Ed and Dr. Paul.

She also is survived by three other daughters, Pearl of Hartington, Mrs. Anton Koutney of Randolph and Mrs. T. F. Daulty of Ashland.

STILL QUITE POORLY

Gerald, the little son of Mr. and Mrs. William Ketselson, is still quite poorly, suffering from an attack of the flu. The little one has been ill for some time and has not shown the rate of improvement that was hoped for.

SHOWING IMPROVEMENT

Mrs. G. G. Hoffman, residing in the south portion of the city, has been suffering from the flu the past week, but is now reported as being much improved and it is hoped will soon be back to normal.