

Supreme Court Defers Action on Tax Statute

Good Deal Say Delinquent Levy Act Harms Schools; Te Poel Says Brake on Costs.

Lincoln, March 5.—A 1933 Nebraska legislative act Monday was called both a defense for taxpayers and a means of bankrupting many school districts and counties...

The law provides delinquent taxes should be used first for obligations incurred the year closed, and any surplus into a bond sinking fund...

County Attorney Henry Beal, Omaha, brought the test case in behalf of Douglas county commissioners to compel County Treasurer Otto J. Bauman to turn over to the general fund some 1932 delinquent taxes.

The law was attacked as unconstitutional on grounds it amended other statutes without mentioning them, and it is ambiguous and unworkable because of no method for determining how money put into the bond sinking fund shall be distributed.

"This law, if upheld, will plunge some counties and school districts into bankruptcy," Attorney General Paul F. Good said.

Calling Nebraska's tax machinery "about the most absurd and antiquated," Good said the difficulty is taxes are levied in August for the fiscal year beginning the preceding January but are not wholly collected until the following year.

L. J. Te Poel, Creighton university law dean, defended the law by claiming the fiscal year for which taxes are levied is not the year in which the levy is made by the year following, and said with the interpretation would not merely as a brake on excessive spending.

Judge E. E. Good interrupted the attorneys several times to question them about county government and drew an admission at one time the only real question was whether the legislature had done properly what it intended to do in limiting governmental officers.

STORED WHEAT DIMINISHES

Chicago.—United States wheat visible supply figures received sharp scrutiny in various quarters, total supplies having been reduced to but little above 100 million bushels. The official statement showed that aggregate domestic stocks of wheat in sight had been curtailed 2,575,000 bushels in the past week, an amount more than had generally been expected...

MILLEN BROTHERS JAILED

Dedham, Mass.—The Milzen brothers, Irving, 19, and Murton, 24, alleged killers of two Needham policemen, a Lynn theater employe and a Fitchburg store clerk, arrived at Dedham jail from New York under strong guard. Hardly fifteen minutes after the youths left a train, they passed thru the doors of the jail amid the hoots and cries of derision from a crowd of more than 2,000 persons.

Ft. McPherson Cemetery is Under Repair

Military Burial Place Is Being Remedied; Contains Graves of 1,119, 562 Unknown.

Maxwell, March 4.—Two sets of improvements are being constructed near here at the Fort McPherson Military cemetery, the only one of its kind in this part of the country.

About 1,180 feet of enclosing wall is being erected at a cost of \$5,290 and another wall bisecting the cemetery is being removed. Repairs and remodeling at the superintendent's lodge will cost \$1,049.

The cemetery is the burial place for 1,119 of the nation's honored dead. Among them 562 are unknown soldiers. Their bodies were brought here from many old forts throughout the west. Side by side lie the remains of Indian fighters and veterans of the civil war, Philippine insurrection and the world war.

Founded in 1862, Fort McPherson originally was built of cottonwood logs and manned for protection against the Indians. The garrison was withdrawn in 1880.

Now the grounds are a beautiful expanse of 2 1/2 acres, with tall cottonwoods casting shadows on the white stone markers.

COMPLAINS OF LABOR BILL

Washington.—The continental congress of workers and farmers heard at its opening convention session a report of a committee pointing to "serious defects" in the Wagner labor bill. The committee on correspondence and action, while praising the theory on which the bill was drawn, believed the national labor board was not the body which should serve as arbitrators.

The committee also objected to the president having the power to name the board members on the ground that "the president can appoint so-called union men who really do not have the confidence of labor and are not the best equipped to serve the cause of labor."

PRISONER IN GERMAN JAIL

New York.—Harry Diamant, a New Yorker who was imprisoned in Germany on a charge of spreading remarks derogatory to the Hitler government, returned on a liner with Mrs. Diamant and their son. He was sentenced to two years, but was released after four months following negotiations by American authorities.

"I was living in the village of Hemsdorf Unter Kynast, in Silesia," he related. "I had many friends who joined the nazis, and I watched the development of the movement from the beginning. When Hitler came into power, I wrote an article which I hoped to have published in New York, and in it I did frankly criticize the Hitler government. Someone evidently informed the mayor of the village, for my house was searched and the manuscript was found. The worst thing I said in it was that 'the present German government is not entitled to the confidence of the president of the United States.' I was in jail for two months before my trial, and on Aug. 22 I was sentenced to two years. I was not allowed to communicate with my friends until about a month before my release.

"My friends in New York got in touch with the state department. American authorities in Berlin successfully negotiated for my release, and I was let out of prison after serving four months of my term. I was given three weeks to settle my affairs and leave Germany."

NEW YORK FEARS FLOODS

New York.—Rapid melting of recent snowfalls brought a threat of flood as a bright sun dispelled the fog that slowed shipping and grounded air traffic in the east during the night. With the temperature in the upper 50's, suburban collars were flooded, upstate and New England highways became rivers, and pedestrians waded ankle-deep thru slush and mud in many sections.

The probability of collision in Dillinger's escape is too large to be dismissed. Other explanations must deal with more feeble-mindedness and imbecility than are expected even in Indiana politics. Dillinger in late September was the outside criminal who managed the escape of 10 convicts from the penitentiary at Michigan City. That was a political scandal which is still raw.

United Brethren in Christ. Rev. Otto Engebretson NEHAUKA CHURCH Bible church school 10 a. m. Evening worship service 7:30. This is "Neighbors Day" in our services. Let us show the neighborly spirit as we did in days of old.

OTTERDEIN CHURCH Bible church school 10 a. m. Morning worship service at 11. Remember our offering for our neighbors, also missionary offering.

Peoples Popular Bible class Wednesday evening. The Woman's Society meets with Mrs. Klaurens.

Y. P. S. C. E. meets at Harold Philpot's on Friday evening, March 9th. The Woman's Society will have an all day session at the E. Boedecker home on Thursday, March 15th. Come. Bring your dinner and stay all day.

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DILLINGER ESCAPE IS AN INDIANA SCANDAL

The escape of Dillinger gives Indiana an unforgettable scandal. The circumstances are such that although the great responsibility is on county officials the whole political structure of the state is suspect. If that structure is taken apart the explanation may be found.

Dillinger's return to the state, after the Arizona police caught him and other gangsters, was something of a triumph, but not, it would seem, of the law. There was more of the homecoming of a popular boy, and the misguided state's attorney allowed himself to be photographed with his arm affectionately on the shoulders of the killer. The scene was shocking to the proprietors—the law and crime just pals together.

The cabinet that sat down with the president was the same with one exception as that sworn in after his inauguration a year ago. Illness had removed one member, William H. Woodin. Henry Morgenthau, Jr., was installed as his successor in the office of secretary of the treasury.

Anniversary Dinner of Roosevelt as President

President and Cabinet Members Discuss Achievements and Mishaps of First Year.

Washington.—The principals of the Roosevelt administration sat down to an anniversary dinner Sunday night, to chat over the tricks taken and the plays lost since the first hand of the new deal was dealt one year ago. Gathered in a hotel dining room for the celebration were President Roosevelt, the twelve members of his cabinet, the vice president, the speaker of the house and a half dozen others who on March 4, 1933, started out to advance Mr. Roosevelt's aims and hopes.

The anniversary dinner, like many other acts of the new administration, was something of a departure from custom. The president previously had explained he would be unable to find time to attend separate dinners by each of the cabinet members.

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MUSING

I sat by my window one beautiful day As the wind was gently whispering a melodious lay. And the branches of the evergreens were swaying in the breeze.

Occasionally a pigeon moved through the air across The withered grass, silent as the herbaceous moss.

It was unusually quiet save the splash of an oar. Or an aeroplane swerved and began to soar.

My thoughts ran riot and to stem the tide. Time rushed in upon me and opened wide A great ocean of industry with its intricate array.

The streams of commerce have all dried up. And nothing seems to fill the empty cup. Once filled to overflowing when the water was fine.

With a sense of pride I was impelled to stay. Until the leaves wither and the fields turn gray. And the walls of dishonesty come tumbling down.

Then there shall be a change complete. And the nations can scuttle their navy and fleet. And put them into some commercial use.

Instead of engines of destruction and disgraceful abuse. —J. R. T.

LAGUARDIA A BUSY MAYOR

New York.—Like Caliph Haroun Al Raschid, Mayor LaGuardia is finding out by personal investigation what is going on thruout the city. Municipal employes, from the hostlers who tend the police horses to the commissioners in their suites of offices, never know when the mayor may walk in, say "as you were," and look around. Citizens with complaints ranging from lost dogs to lost homes walk into the city hall and never can tell when the mayor may appear to "see what this is all about myself."

COSTES SHOWS SURPRISE

Copenhagen, Denmark.—Dieudonne Costes, the famous French flier, arrived here, thoroly astonished at world-wide anxiety over his safety. Encountering fog after leaving France, Costes had landed at Munster, Germany, to await favorable weather, and because he was not on an official or public mission, he did not report his presence there.

Poultry Prices Friday, Saturday, Mar. 9-10 Heavy Hens, all sizes, lb. 11c Leghorn Hens, per lb. 8c Stags, per lb. 8c Springs, smooth legs, lb. 10c Capons, 7 lbs. or over, lb. 14c We Always Pay Trade Price in Cash for Eggs Make This Your One-Stop Market for Produce You Can Always Depend on Top Prices Home Dairy "Our Service Satisfies"

FARM SALES INCREASING From report of sales made in Cass county, Nebraska by Ralph Patterman of Lincoln, the past month: The Meyer farm of 160 acres, two miles north of Greenwood, to A. H. Olson of Greenwood, consideration \$15,000. The unimproved quarter of the Geo. P. Foreman estate near Alvo, to Guy Welsh, consideration \$70 per acre. The improved "120 acres" of the Geo. P. Foreman estate, near Alvo, to J. H. Krabill, consideration \$80 per acre. The improved "80 acres" of Geo. P. Foreman estate near Alvo, to Fred Warner, consideration \$80 per acre.

PURCHASES FARM LAND The sale of 240 acres of land in the vicinity of Marduck was announced by M. M. Bloom, local real estate man today, this land was owned by August Wendt, one of the leading land owners in that part of the county. The land sold for \$125 an acre. Mr. Bloom states, and which is an excellent price following the long era of low farm values. The purchaser was Henry Schoemann, a farmer residing in the vicinity of Fort Crook.

WORKING ON CONTEST The Journal has received many inquiries as to the results of the "A" contest which was sponsored by the Business Men's Ad club. The entries were turned into the hands of the judges following the close on Wednesday, February 25th and they are now checking them. It is hoped to have an announcement in a few days.

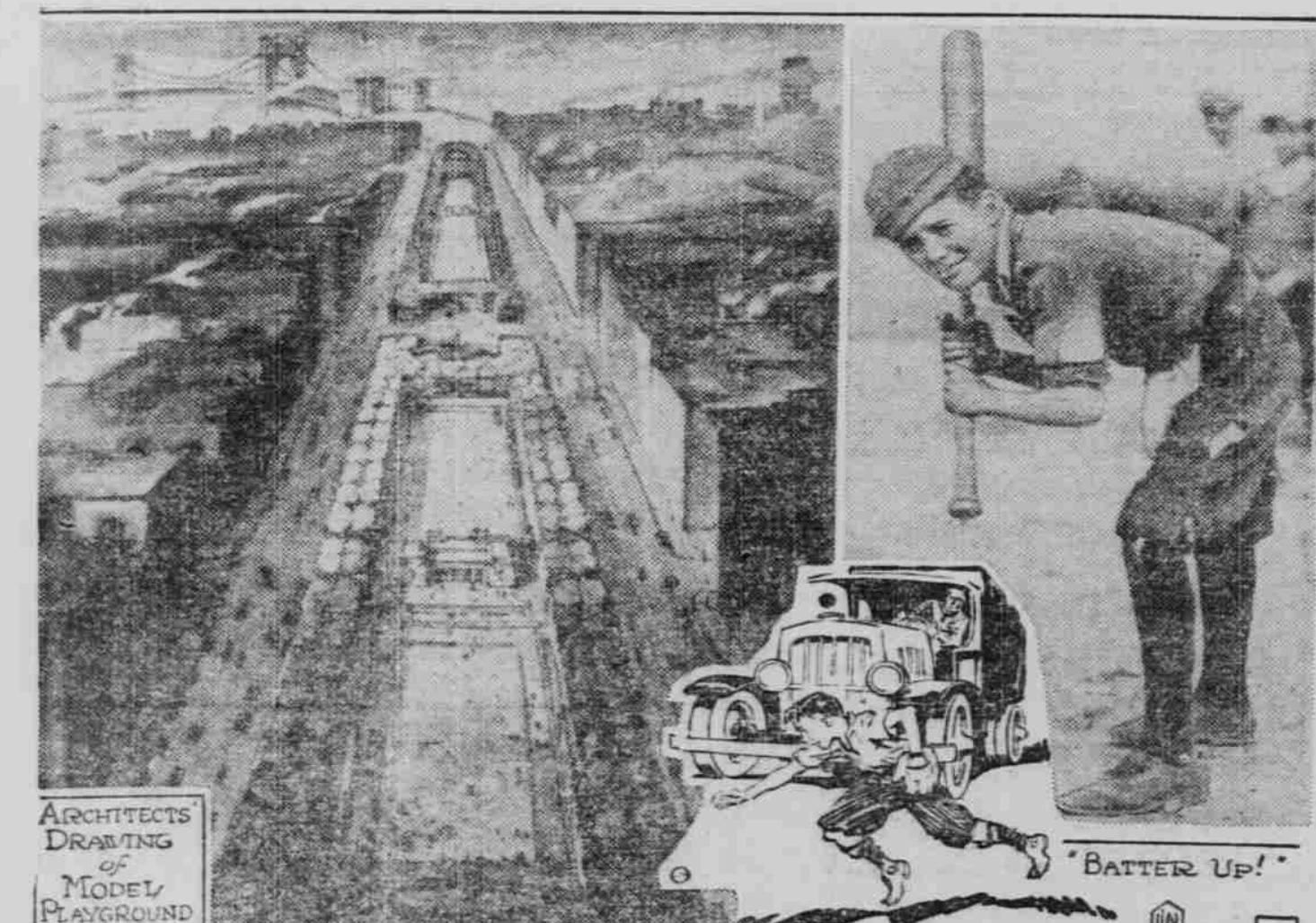
SERIOUSLY ILL G. S. Upton, 85 years of age, pioneer of Liberty precinct, is seriously ill at the home in Union, reports received here state. Mr. Upton has been one of the most prominent and active leaders in Cass county in the long residence here. He has resided near Union since 1865, altho in recent years he has retired from the farm and lived in Union.

MOVE TO NEW LOCATION Mr. and Mrs. B. J. Parrie, who have been located on a farm south of this city, are now moved to a residence on one of the Wehrlein farms west of this city. Mr. Parrie has a large amount of livestock and which made necessary securing a place of considerable acreage. He will be engaged in farming land in Sarpy county but which has no residence facilities.

PURCHASE RESIDENCE The sale of the Albert Cotner residence on North 8th street, has been completed and the residence will be occupied by L. C. Horschar and family who are moving here from Murray to reside in the future. The home is a very pleasant one and will make Mr. and Mrs. Horschar a fine and comfortable residence.

AN APPRECIATION I wish to acknowledge the receipt of many words of commendation from my friends and the general public on the discharge of my official duties and I also wish to thank the institutions and groups that have presented me with awards.—Jarvis Lancaster, Deputy Sheriff.

New Playground Eden for Gotham Children



With the start of construction on the seven-block playground in New York's lower East Side by CWA workers, the death race among East Side children is due for a big drop. Street baseball and East River bathing has taken an appalling toll of young lives every summer in that congested area. The new playground, the site of which originally was intended for a model housing scheme, will provide facilities for every type of juvenile sport. The plans call for baseball diamonds, wading pools with spray showers, tennis courts and the hundred and one other modes of diversion beloved of the young and healthy. It will also provide a resting place for mothers in the day and floodlighted at night, a recreation spot for adults.

CORRECT There are off-the-face models, tiara hats, rolled brims and classic brims in this Easter showing of new spring hats—There are straws, silk and straw, felts and stitched straw and fabric models, every one designed to wear with Spring prints, Spring suits, coats and every-thing casual and gay. Only \$2.95 LADIES TOGGERY