

# The Plattsmouth Journal.

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NO. 11

## Coroner's Inquest Frees Joe McMaken, Jr.

Verdict Reached This Afternoon at 2 O'Clock Brings Applause from Court Crowd.

Following the recommendation of the coroner's jury, there will be no charges filed against Joseph G. McMaken, for the fatal shooting of Doug McCrary early Wednesday morning at the McMaken home.

The jury reported the verdict "That W. Douglas McCrary came to his death as the result of gun shots fired by a shotgun in the hands of Joseph G. McMaken in defense of his home and person." It was recommended that Mr. McMaken be discharged from custody.

The inquest as to the death of William Douglas McCrary, was held this morning at district court room, packed to the windows with eager listeners to learn if additional evidence was adduced as to the slaying of the young man by Joseph McMaken, Jr., at whose home the tragedy had taken place.

The inquest was conducted by County Attorney W. G. Kieck and the members of the jury comprised Kirk Frantz, Weeping Water; Clarence E. Pool, Weeping Water, O. A. Davis, Murray; William Atchison, Elmwood; Fred Carstens, Avoca; Elmer Sundstrom, Louisville.

The first witness called was Dr. L. S. Pucelik who testified as to having been called to the McMaken home and met at the door by Mr. McMaken, who had stated that the man he was called for was in a bedroom of the house at the southwest corner of the structure. He had entered and found McCrary's body near the west end of the bed and the man suffering several wounds and bleeding profusely. McCrary was unconscious but still alive, but beyond human aid. McCrary was dressed in a shirt, trousers and shoes, but without coat or overcoat, which were lying across the foot of the bed and the dress coat hanging on one corner of the bed. McMaken had told him that he had shot McCrary. Mrs. McMaken was there at that time and had urged the witness to do something to save the dying man but he had told her nothing could be done.

Dr. Pucelik stated that McCrary had been shot three times, once in the side at apparently some distance away and also a shot in the knee, the wound in the temple was the one that probably caused his death.

Officer Roy Stewart testified as to receiving a call from the McMaken home and on arriving there had been admitted to the home by Mr. McMaken and who had stated that he had shot McCrary and was ready to surrender himself. The witness had followed Mr. McMaken's direction and found the shotgun and also had found a revolver in the overcoat of McCrary that was lying on the bed.

In reply of questions of Mr. Robertson, defense counsel, the witness had replied that the coat was lying so that the revolver could be easily reached. He had been accompanied to the McMaken home by George Renne and they had remained there until after Sheriff Sylvester, called by Officer Stewart, had gone with Mr. McMaken.

Sheriff Sylvester testified as to the preceding witness as to the position of the body, the clothing and the finding of the revolver and other personal effects of the dead man in his clothing.

Fred Lugsch was called and questioned as to having talked to McCrary about visiting the McMaken home but which witness denied. He stated that McMaken had told him that he had taken a shot gun apart so that it could not be used on him. McMaken had not said that it was McMaken's shotgun.

Oscar Gopen, Jr., called testified that he was a neighbor of the McMaken family, that his horses were kept in a barn adjoining their place. He had seen a man around the place a number of times in several months past, he had not recognized the man, however. This man had been seen during the absence of Joe McMaken from home on his contracting work.

Joseph McMaken, Jr., was called to the stand and related his story of the tragic happening on the early morning of Wednesday. The witness had learned that someone had been visiting his home and leaving home Tuesday had told his wife that he would be gone for some time on a job. He had, however, returned late Tuesday and going to his home had entered the cellar where his pump gun was stored and while there had heard voices, apparently two people conversing in one of the rooms upstairs. He had remained in the cellar for some time and then to investigate farther had gone out and made his entrance to the main floor of the house through a window in the bathroom. He had then remained in a small pantry for some time and later had gone to the front bedroom where he softly opened the folding doors and had stepped into the room and could hear whispering and talking from the direction of the bed. Witness stated that the conversation seemed to be about someone being in the room as they grew more suspicious. He had then turned on the light and McCrary had started to cover his head in the bed and later leaped or rolled off the bed apparently trying to get under the bed. Witness had shot at McCrary, the shots taking effect in the body and the third time he had fired the charge penetrated the temple on the left side. The witness testified that he was absent from home for long periods owing to his work and that last fall he was absent from September to November. Witness testified that he had maintained a home and provided all of the comforts that he could for the family. He had been married ten years and that prior to the present time the home life had been very pleasant and happy.

The case was then presented to the jury for its deliberation, without any statement from attorneys, and the jury turned over to Sheriff Homer Sylvester during their deliberation.

**RADKE MAY BE A CANDIDATE**

Many local friends of F. C. Radke, present general counsel for the State Banking Department, have been interested in talk that Radke may enter the race for governor on the democratic ticket.

It is thought that with Governor Bryan definitely announcing his candidacy for the United States senate, and eliminating himself from the race for governor, Mr. Radke may feel that he should respond to the wishes of his many friends and make the effort to be Bryan's successor.

Radke has a long record of public service. He was a World War veteran. He was a member of the legislature in 1917 from Cedar county, and a delegate to the Constitutional Convention of 1919-20 from the same county. He was private secretary to Governor Bryan in 1923 and 1924, and again in 1931. On removal to Johnson county, he became its county judge and served from 1925 to 1928, and served as city attorney of Tecumseh, Nebraska, from 1929 to 1931. He has been general counsel for the department of banking since July, 1931.

He has many friends in Hamilton county, having appeared in local courts many times in the interests of failed banks and their depositors, and his local friends would receive announcement of his candidacy with pleasure.—Aurora (Neb.) News.

**HAS CORN STOLEN**

From Saturday's Daily

Some person or persons Friday night proceeded to raid a corn crib at the farm home of Mr. and Mrs. T. G. Klamm, south of this city. The theft of the corn was discovered this morning by Mr. Klamm when going to the crib to get some corn for feeding. Not only was the corn missing, but the party had also taken the padlock used to protect the crib. If the party will only return the lock the family will overlook the fact that the corn was taken.

**AN APPRECIATION**

To the hundreds of kind friends and neighbors who shared with us our deep loss we wish to take this means of expressing our heartfelt appreciation for the many acts of kindness and sympathy, and the beautiful floral tributes sent our loved one.—Mrs. James T. Begley and Family.

## Funeral of Judge Begley is Held Wednesday

One of Largest That City Has Witnessed and Brings Many Distinguished Leaders Here.

Tuesday afternoon Plattsmouth as well as all sections of eastern Nebraska gathered to pay their last tribute of honor to Judge James T. Begley, who for the past twenty years had presided over the district court for the second district.

The services were held at the St. Luke's Episcopal church where Judge Begley had worshipped and where he was serving as a member of the vestry at the time of his death.

Preceding the service the body had laid in state at the Sattler funeral home and where hundreds had called during the morning for a last farewell of their friend and associate.

The church was soon filled by the members of the funeral party and friends and several hundred gathered at the outside of the church to silently stand in tribute to the departed.

The beautiful and impressive Episcopal service was opened with the professional hymn, "Abide With Me." Canon W. J. H. Petter, rector of the church celebrating the service, with Rev. C. O. Troy, pastor of the First Methodist church and Rev. C. A. Pahl of the St. Paul's Evangelical church seated in the chancel.

The choir of the church with Mrs. J. M. Roberts at the organ gave the hymn, "Lord Now Letteth Thou Thy Servant Depart in Peace."

Fred Ellis, of Omaha, a long time friend of the Begley family gave the beautiful solo number, "My Task."

The recessional hymn was "Asleep in Jesus."

The body, accompanied by an impressive cortege of over one hundred cars was borne to the cemetery at Papillion in which city Judge Begley had made his first entrance into the practice of his profession.

The body was given an escort of past commanders of Mt. Zion commandery No. 5, Knights Templar, of this city of which the departed had been a commander.

The active pallbearers comprised Hon. Morton Simpson, Nebraska City; John W. Falter, Falls City; H. A. Schneider, Searl S. Davis, Plattsmouth; E. S. Nickerson, Papillion; George Rushart, Fort Crook.

The honorary pallbearers represented members of the bench and bar of Nebraska, being: Hon. Charles A. Goss, Chief Justice Supreme Court, Lincoln; Hon. William B. Rose, Judge Supreme Court, Lincoln; Hon. John B. Raper, District Judge, Pawnee City; Hon. W. A. Redick, District Judge, Omaha; Hon. James M. Fitzgerald, District Judge, Omaha; Hon. Louis Lightner, District Judge, Columbus; William Ritterie, Omaha; Tom Allen, Lincoln; Thomas E. Durbar, Nebraska City; W. G. Kieck, Plattsmouth; W. A. Robertson, Plattsmouth; C. E. Ledgway, Plattsmouth; John C. Miller, Nebraska City; E. Glenn Woodbury, Plattsmouth.

At the cemetery at Papillion there was a large number of the old friends from that city and section of Sary county present to render their tributes of honor to the memory of Judge Begley.

The services at the cemetery were in charge of Plattsmouth lodge No. 6, A. F. & A. M. of which Judge Begley had served as master several years ago. William A. Robertson, grand marshal of the grand lodge and past master of Plattsmouth lodge, gave the eulogy at the grave.

The Masonic male quartet, composed of Frank A. Cloldt, Raymond C. Cook, H. G. McClusky and R. W. Knorr; gave at the grave the impressive "Going Home" from the "New World Symphony," by Dvorak, fulfilling the wish of the departed who had made the request of this number months ago when he was first aware of the dangerous condition of his health.

The floral tributes were elaborate and beautiful and came from all sections of the state from friends and associates in the legal profession.

Among those who attended the services from Lincoln were Governor and Mrs. Charles W. Bryan, Chief Justice Charles Goss of the supreme court, Justice and Mrs. William B. Rose, Mr. and Mrs. Thomas S. Allen, Fred Bodie, Mr. and Mrs. I. M. Davis.

Among the distinguished visitors from Omaha were Judge James Fitzgerald, Judge John W. Yeager, Judge Frank Dineen, William Ritchie, John Wear, W. N. Jamison, Thomas Sheehan, George Goldsmith and John W. Falter, Falls City, Judge Chase, Stanton.

All of the Otoe county bar was present in a body with the exception of O. G. Leidigh, who was prevented by illness from attending.

**Presbyterian Men's Club Has Fine Meeting**

Secretary Maxwell of the Omaha "Y" is speaker of the evening—Fine program is presented.

From Friday's Daily

Last evening the Men's club of the First Presbyterian church held a most pleasant meeting at the Fellowship room of the church and with a large number of the members in attendance.

The meeting was in charge of R. W. Knorr and who had arranged a most interesting program that served to be both entertaining and of much real value in the fine talk that was afforded.

Wallace Terryberry, popular young violinist, was heard in two delightful numbers and with the accompaniment played by Miss Catherine Terryberry, this making a feature that all enjoyed.

Herbert Minor, the "Ben Bernie" of the high school, with his band of snappy musicians, were also heard in several numbers that reflected the greatest credit on this clever group of young musicians.

Hamilton Meisinger, local cartoonist and artist, was presented for a short "chalk talk" and showing his clever and artistic drawings, the young man having a real talent for this line of work.

The guest speaker of the evening was Secretary Maxwell of the Omaha Y. M. C. A. who gave a fine talk, stressing the work that a group of men in the church can accomplish for the good of the church and the community by furnishing the needed leadership.

The refreshment committee of which L. L. McCarty was the chairman had arranged a lunch of sandwiches, rolls and coffee that served to close the very pleasant evening for this fine group of men.

## American Legion District Convention at Louisville

Cement City Is Host to the Legion and the Auxiliary Thursday—Have Fine Program.

Louisville was hunk on Thursday to the former soldiers, sailors and marines who once served as a part of the United States forces in the world war and are now enrolled as members of the American Legion and their ladies in the Legion Auxiliary.

The occasion was the twelfth district convention and which brought Legion representatives from counties of Cass, Lancaster, Otoe and Seward to enjoy the fine occasion that the Louisville people had arranged for them.

The convention was attended by a number of the heads of the Legion and the Auxiliary, including Golden P. Krutz, Sidney, state commander of the Legion and Henry H. Dudley, Lincoln, state adjutant, Ray Hodges, Lincoln, state service officer, Gordon Beck, head of the U. S. Veterans bureau at Lincoln, Mrs. Nora Patrick, Alliance, department commander of the American Legion Auxiliary, Mrs. Irene Fleming, Lincoln, secretary-treasurer of the state department.

The Legion convention was held at the city hall, while the Auxiliary met at the Methodist church for their sessions.

The Legion meeting was presided over by B. R. Zastera, Syracuse, district commander and the Auxiliary by Mrs. Venus Tyler, Nebraska City, district president.

The district commander was not elected this year and the convention named the following county commanders for the ensuing year:

Cass county—Ernest Cook, Elmwood.  
Otoe county—Harvey Risk, Nebraska City.  
Lancaster county—Elmer Wiley, Bennet.  
Seward county—Kirk D. Meyer, Seward.

The American Legion Auxiliary named their officers for the ensuing year, the following being selected:

President—Mrs. May Olson, Daver.  
Vice-President—Mrs. Helen Dudley, Lincoln.

Executive committee—Mrs. Leah Ball, Lincoln, chairman; Cass county, Mrs. Mable Mayfield, Louisville; Lancaster county, Mrs. Mary Dana, Lincoln; Otoe county, Mrs. Grace Holmberg, Nebraska City; Seward county, Mrs. Halle Woods, Seward.

A banquet for the two organizations and a joint dance and entertainment at the city hall furnished the social features of the convention.

## DIES IN ILLINOIS

The message was received here Wednesday by relatives of the death at Joliet, Illinois, of Miss Margaret Shepherd, former resident of this city, some forty-two years ago. The deceased lady was a daughter of Mr. and Mrs. T. C. Shepherd, who made their home here for a great many years, moving to Illinois in 1891. Miss Shepherd was a teacher in the local schools for many years and taught at the first ward school.

She is survived by one sister, Mammie, of Joliet, two brothers, Clifford and Charles of Battle Creek and Saginaw, Michigan.

**Chapter F, P. E. O. Society Hold Election**

Mrs. Oglia Wiles Re-elected as President of Chapter Meeting at the Figley Home.

Friday afternoon Chapter F, P. E. O. held its annual election of officers at the meeting held at the home of Mrs. Jack Figley and which was largely attended by the membership. The officers named were as follows:

President—Mrs. Oglia Wiles.  
Vice-President—Mrs. Marjorie Lohns.  
Recording Secretary—Mrs. Lorene Heineman.  
Corresponding Secretary—Mrs. Florence Devoe.

Treasurer—Mrs. Marie Ambrose.  
Chaplain—Mrs. Genevieve Hayes.  
Guard—Mrs. Edith Figley.

Delegates to the state convention to be held at Wayne in May, were Mrs. Oglia Wiles and Mrs. Marjorie Lohns.

Following the election of officers the members enjoyed a fine program which was based on library facts and under the leadership of Mrs. Marjorie Lohns.

At the close of the afternoon the ladies were served dainty refreshments that added much to the pleasure and enjoyment of all of the members of the organization.

**"A" CONTEST AWARDS**

The committee of judges comprising F. I. Rea, president of the Chamber of Commerce, Mrs. Robert Reed, president of the Woman's club and L. S. Devoe of the city schools, have compiled their judging of the answers in the "A" contest recently staged by the retail section of the Chamber of Commerce.

The result is as given before and the prize winners can secure their award by calling at the Journal office:

1. Paul Vandervoort, "Bargains All Aces."  
2. Mrs. Virgil Arnold, "Cartoon."  
3. G. A. Langenstrom, "A."  
4. Joseph Kvapl, "Star."  
5. Wilhelmina Henriksen, "Wise Shoppers."  
6. Mary Ann Sedlak, "Wheel."  
7. Lillian Sedlak, "Hatchet Wheel."  
8. Cecil Comstock, "Rosevelt."  
9. Marie Novotny, "Contest Stars."  
10. Mrs. John Svagera, Murray, "Sandwich Man."  
11. Agnes Brink, "Doll."  
12. Wm. Henriksen, "A Contest."  
13. Emma Mendenhall, "A. D."  
14. Mrs. C. L. Wiles, "Folder."  
15. George Lushinsky, "Eagle."  
16. Ella Frazier, "Wrapping Paper."  
17. Mrs. J. H. Davis, "Nebraska."  
18. Rose Mary Stander, "Black & White."  
19. Clara Mrasek, Murray, "Colored in Crayola."  
20. Mrs. Gardner Hamilton, Murray, "Boost for Plattsmouth."  
21. Renee Brown, "Calendar Picture."  
22. Jorn Seitz, "Silver Dollar."  
23. Betty Jo Lihershal, "Come On."  
24. Rachel Robertson, "Dollar Day."  
25. Agnes Wetenkamp, "Crepe Paper."  
26. Eloise Pool, Murdock, "Drawing Paper."  
27. Gwendolyn Hansen, "Race Track."  
28. Mrs. Frank Wondra, "Extra Booklet."  
29. Mrs. R. W. Edwards, "Paper Dollar."  
30. Florence Persinger, "Pyramid."  
31. Henry Wooster, "The Dollar."  
32. Eugene Nolte, Mynard, "Ads."

## Starving Man Found by Road Near Glenwood

Jack Hall, Talented Musician and a College Graduate, Found When Near Death Sunday.

Jack Hall, giving his age as 24 and the residence of his grandmother, who he says is his nearest living relative, as that of Pittsfield, Mass., dropped on the pavement from exhaustion in front of the Raymond Mintle home at the north edge of Glenwood Sunday afternoon about 5 o'clock.

Mr. Mintle saw the man, who was walking carrying a suitcase, slump to the pavement and went to his rescue. Lewis Robinson came along in his car about that time and they placed him in the car and brought him to town, where he was given first aid and taken to the Dean hotel.

It soon became evident he was in a very bad condition. Mayor Haney called City Physician G. M. Agan, who said the man was suffering from exhaustion due to starvation.

He said he had not eaten for two days, although he was well dressed. He had been working for Warner Bros. studios in Hollywood, he being a professional musician, but lost his position and unable to find work, left Hollywood with \$10, hitch-hiking to the home of his grandmother in Massachusetts.

He is being cared for by the generosity of local persons and city charity until such time as he will be able to travel, when, under the CWA provisions, Mayor Haney says he will be sent by train to Pittsfield, Mass.

He is apparently a young man of culture, and has credentials which substantiate his stories of being a graduate of an eastern conservatory of music.

He says a local charity in Omaha refused him food and assistance because they said he was too well dressed.—Glenwood Opinion-Tribune.

**BOYS LEARNING TO SWIM**

The opportunity of receiving expert swimming instruction that has come to members of the Plattsmouth American Legion Scout troop thru courtesy of the Omaha Y. M. C. A. is one of greatest importance. The concession was made by the Omaha "Y" at the very nominal rate of 5c per boy, where towels are furnished by the swimmers.

L. Thomas, an expert swimming instructor, is on duty at the pool throughout the half hour of their semi-weekly lessons and has given the boys much valuable aid in qualifying as swimmers. A considerable number have now passed the first class Scout swimming test of making 50 yards and others are passing the more difficult tests required to advance to Star and Life Scout ranks. The life-saving test required of Eagle Scouts will also be provided for those who are in line to receive that advancement before the series of lessons is concluded.

Plattsmouth car owners are very generous in providing transportation for the boys to and from Omaha each Wednesday and Friday evening, and a good many boys are learning to swim who would otherwise probably never have the opportunity.

The "Y" personnel is very solicitous of their welfare and they are given all the advantages of those who hold regular paid membership in the organization.

**FIND "DEAD" MAN**

From Saturday's Daily

This morning persistent reports of the fact that John Miller, of this city had died at a hospital at Omaha, led to the investigation of the report which credited the demise with an assault that Mr. Miller was alleged to have sustained.

Sheriff Homer Sylvester decided to look into the matter and accordingly visited the residence where Mr. Miller was making his home and was allowed to visit with the "dead man," who very emphatically denied the fact and was apparently in the best of condition.

The report had evidently sprang from the same source as that which had represented Mr. Miller as having been taken to an Omaha hospital in an unconscious condition Thursday.