

# The Plattsmouth Journal

PUBLISHED SEMI-WEEKLY AT PLATTSMOUTH, NEBRASKA  
Entered at Postoffice, Plattsmouth, Neb., as second-class mail matter

MRS. R. A. BATES, Publisher

SUBSCRIPTION PRICE \$2.00 A YEAR IN FIRST POSTAL ZONE  
Subscribers living in Second Postal Zone, \$2.50 per year. Beyond 600 miles, \$3.00 per year. Rate to Canada and foreign countries, \$3.50 per year. All subscriptions are payable strictly in advance.

## GREENWOOD

The eldest son of Mr. and Mrs. John Coleman has been sick at their home in Alvo and not able to continue his school work at this time.

John Elwood has been very poorly for some time and is confined to his bed at this writing, although he is feeling some better. His friends are hoping that he will soon be able to be up and around again.

Walter Vincent, the care taker of the Alvo schools, has been under the weather, being required to remain at home the greater part of last week. During his absence his duties have been looked after by Ray Clarke.

During the illness of Mrs. Joseph Armstrong, her brother, Edward F. Hurlbut and wife and Walter Hurlbut, a nephew, who makes his home at Franklin, Neb., were guests at the Armstrong home, coming to see Mrs. Armstrong during her illness.

**Entertained Daughter and Family**  
Mrs. Elsie Peters and son Norman entertained the family of Barye Lewis of Verdun, who arrived in Greenwood last Friday and remained until Sunday evening, all enjoying a fine visit together. At the family dinner which was served last Sunday, Messrs. and Mesdames Grant and Glen Peters and their children were also present, adding materially to the enjoyment of the occasion.

**Attended Third Annual Banquet**  
E. L. McDonald, the bustling merchant of Greenwood, was in Lincoln one day last week, looking after some matters of business and attending the third annual banquet and business meeting of the manufacturers of Nebraska, of which he is an honorary member. A very pleasant evening was enjoyed by all who were present and much good was achieved in the way of advertising Nebraska products.

**Old Fellows Install Officers**  
At their last meeting which was held last Tuesday evening at their hall in Greenwood, after the regular order of business had been concluded, District Deputy Grand Master

Harry L. Hughes, with his assistant officers, proceeded to install the newly elected officers of the Greenwood I. O. O. F. lodge in their respective offices. The roster of the new officers as they were able to gather them, includes Merton Grey, Noble Grand; John S. Gribble, Vice Grand; George E. Bucknell, secretary; H. L. Hughes, treasurer; C. W. Newkirk, conductor; H. S. Hughes, warden, and Leo Peters, chaplain.

**Purchases New Car**  
Clyde W. Newkirk, manager of the Greenwood service station, has purchased a new Plymouth car which he and the family will enjoy to the utmost during the coming months.

**Injury is Improving**  
Miss Helen Kelley, daughter of Mr. and Mrs. Wm. Kelley, who suffered a fractured leg when a section of portable seats used at the basket ball games gave way and precipitated the spectators to the floor, is improving from her injury in nice shape and will be able to resume her studies some time during the present week.

**Visiting in the South**  
Mr. and Mrs. Oscar Hill, who have friends in and near Harrison, Arkansas, departed for there in their car last week, going to look after some business matters. They were accompanied by the Rev. W. E. Goings, who was also looking after the transaction of some business in that part of the country.

**Brotherhood is Active**  
The Methodist Brotherhood, which is composed of an active group of men interested in the church and the community, held a meeting recently to discuss plans for the betterment of the church and Bible school. At their next meeting, they will consider the welfare of some of the people of the community who are in need of assistance, and it is certain no better or more laudible thing could be undertaken than to look after the providing of assistance to their fellowmen in need. The meeting will be held on the second Thursday night of February.

**Attended O. E. S. District Meet**  
Mrs. W. A. White and Mr. and Mrs.

## JUDGE FARIS IS CONFIRMED

Washington.—Without a word of debate, the senate confirmed the presidential nomination of Judge Charles B. Faris of St. Louis as judge of the Eighth circuit court of appeals. The senate acted after its judiciary committee investigated some receivership cases under Judge Faris' jurisdiction as a federal district judge and then reported favorably on his nomination to the appellate court bench.

The nomination had been criticized before the committee by Senator Couzens (r., Mich.) who said he understood Faris was promoted because of his "management" of the Missouri Pacific and Frisco railroad receivership cases. Chairman Burke (d., Neb.) of the committee later said there were no charges against Faris in the cases couzens cited, but against the conduct of the companies involved.

George E. Bucknell, all members of the Order of Eastern Star, attended the district meeting of the organization which was held at the meeting rooms in Lincoln last Saturday evening, January 26th. A banquet was served in connection with the gathering.

## Tells of Cold Weather

Judge W. A. Armstrong received a letter from his daughter, Mrs. R. G. Reed, of Gordon, about the middle of last week, telling of the cold snap that visited that part of the country at the same time we were having our below-zero weather. She stated the thermometer there registered as low as 36 degrees below zero at one time, with clear weather prevailing, making the biting cold not seem as bad as it would had the wind been blowing a terrific gale.

## Mrs. A. R. Birdsall Very Poorly

Mrs. Bessie Birdsall has been in poor health for some time at her home in Weeping Water, according to news received by old friends here. Her condition has been such that a trained nurse has been at her side all the time. The husband and children have also been very attentive to her and everything possible in the way of medical skill is being done to bring about a restoration of her health. In spite of their ministrations, however, she has grown worse instead of better. All are hoping for a change in her condition.

## Shows Marked Improvement

Mrs. W. A. Armstrong, who has been in poor health for some time, being confined to her bed and under the care of the family physician, is now feeling considerably improved and has been able to be up and about the house as well as to get out a little at times when the weather was favorable. Her many friends are rejoicing over the improvement in her condition during the past week.

## Raises Question of Importance in Tax Delinquency

Nebraska City, Like Plattsmouth, Has Suffered Less as Owners Collect Insurance and Vacate.

The Nebraska City News Press contained an article yesterday that is of interest to every community in the state, pointing out the need of a tax lien law that would prevent collection of insurance on properties with delinquent taxes which burn down, and then deserting the lots or worse yet the fire wrecked building, with a heavy back tax charge against it.

The Press article says: "In the course of the investigation of the Frontier hotel fire in Nebraska City several months ago fire marshal agents discovered a situation which, they hope, the state legislature will remedy. Although the building was insured and insurance was paid, none of the proceeds was devoted to the payment of delinquent taxes which, according to the treasurer's office, amount to the substantial sum of approximately \$3,000, interest included. Fire marshal's office observers believe the legislature should enact a statute to make the county treasurer a sort of mortgagee, but prior to other mortgages, in the allocation of insurance moneys between the assured and the public. In other words, if a burned property which is insured, is charged with taxes, those taxes should constitute a first lien against the insurance proceeds.

"Some insurance adjusters object to such an arrangement, saying it would necessitate trips to the county seat to consult records in all cases where realty is involved in fires. Many legislators, on the other hand, think the laws should be changed to give this protection to the county treasurer. As it is now, a building may burn, insurance may be adequate to meet regular mortgage claims, but the law does not permit the tax authorities to step in and demand and receive sums due for delinquencies.

"Certainly a change in the law is needed to protect the interested taxpayer public which, according to State Fire Marshal Davis, has been deprived of about \$100,000 in lost 'fire taxes' within the past few years. The Nebraska City case is of interest in that it entails a loss of about \$3,000 every cent of which could have been collected quickly had the treasurer been armed with a statute to give him a first lien against the insurance money."

Plattsmouth has had its share of lost 'fire tax' experience, amounting in the aggregate to a far greater sum than the \$3,000 complained of by the News-Press.

It would seem by the logic of reason that the law against tearing down or removing buildings on properties with tax delinquencies, coupled with the general taxation law that unpaid taxes take precedent over mortgages and other incumbrances in non-fire cases could be brought together in a court action to at least require restoration of buildings destroyed or damaged by fire to as good condition as before the fire, that being the objective of all fire insurance.

To illustrate: A owns real estate delinquent in taxes. He cannot tear down or remove any building, sell or dispose of same, without first paying the taxes. He insures it, and a fire destroys it in whole or in part. In accepting cash settlement of the insurance claim and deserting the buildings, is he not reaping the same benefit that would come from selling the building, tearing it down or removing it? Simply a changed condition in the method of getting the money! Therefore, would it not be possible to mandamus the insurance company to put the building back in condition so far as its coverage would permit, rather than permit a cash settlement with a lenient owner who would rather get the money than repair the building, knowing he would still face unpaid tax bills?

No case of this kind has ever been brought and it is impossible to offer more than a guess as to what disposition the courts would make of it.

Perhaps, as the Press suggests, the best solution lies in the passage of a law establishing a lien, as in these days of great tax delinquency, every fire offers possibilities of a heavy loss in tax revenue.

## SWITZ TRIAL IN MARCH

Paris.—Mr. and Mrs. Robert Gordon Switz, Americans held in jail since December, 1933, on charges of participation in an espionage ring, will go on trial in the thirteenth police court, early in March, it was announced.

Daily Journal 15c per week.

## BURKE AND NORRIS APART

Washington.—Senator Burke cast his first record vote in the senate in opposition to the state's senior senator, Norris over the Norris proposal to add an additional restriction to American entry into the world court. The Norris amendment failed and Burke said afterwards he felt it was impractical. "I feel," he said, "that we either ought to go into the court and participate with other nations or that we should stay out entirely. I would rather vote against joining the court than to vote for it with the Norris reservation."

## Says Road Work is Best Relief Outlet

Distributes Funds in the State, Tilley Explains in Talk Before Contractors at Omaha.

Omaha.—State Engineer Tilley told Nebraska contractors Thursday that highway construction offers "the best possible outlet for relief appropriations."

Addressing the eighth annual convention of the Nebraska chapter, Associated General Contractors of America, Tilley said highway construction not only creates employment but also distributes it.

Road contracts were awarded to 133 different contractors in Nebraska during 1933 and 1934, Tilley said. Since the summer of 1933, he reported, there have been seventy-six municipal street improvement projects undertaken in fifty-five Nebraska cities and towns.

Tilley said that including jobs under contract, but not yet completed, Nebraska now has a total of 886 miles of paved highways, 527 miles of bituminous mat roads, 5,766 miles of graveled roads and 869 miles of dirt roads. There were only 170 miles of graded roads at the beginning of 1919, he said.

"This makes a grand total of 7,988 miles of maintained highways now in the state," he added. "Highway improvement and the increase in motor vehicle registrations in Nebraska have kept pace with each other. It is difficult to tell which one brought about the other."

## TWO CHARGED IN SLAYING

Omaha.—First degree murder charges against John Jeter of Texas, and Floyd Watts, both Negroes, were filed in federal court here late Friday in connection with the slaying of Harry J. Plains, 61, assistant superintendent of the federal transient shelter here. Plains was knifed fatally in an altercation at the shelter last Wednesday night.

Other complaints charge both men with assault on Charles Smith, Negro special officer at the shelter. Formal hearings in both cases were expected to be held before United States Commissioner Mary Mullen Saturday. The defendants are held in jail with twenty-six others questioned since the slaying.

James L. Flood, agent with the federal bureau of investigation, is the complainant in each case. He said Nebraska laws, which permit the death penalty for conviction, will govern the court procedure involved. Meanwhile, Flood was awaiting a report on fingerprints of Plains sent to Washington in an attempt to learn more of the slain man's past.

## NEBRASKA NOT NEGLECTED

Washington.—Senator Burke of Nebraska received assurance from President Roosevelt that all proposed Nebraska public works projects would be given full consideration and efforts made to provide a satisfactory program in the state for unemployment relief. The senator said he had been concerned about Nebraska's situation in the coming program because PWA officials told him Nebraska had a greater number of approved PWA projects now built or under way than any other state and was near the top in total amount allotted.

After a conference with the president, Burke said he was assured the new program would be based on worthy projects and existing needs rather than on a basis of what had been allotted previously.

While with the president, Burke also discussed Nebraska's agricultural and financial situation and several minor patronage matters.

## REFUSE TO END STRIKE

Shoebogyan, Wis.—Members of federal labor union No. 18,545 reported they have rejected the Kohler company's proposal to end the strike which was called at the plant in Kohler village last July 16.

## Would Require Allegiance Oath from Teachers

Daughters of the American Revolution Frame Bill to Be Introduced in Legislature.

At the state board meeting of the Daughters of the American Revolution held in Columbus January 18, it was voted to present to the state legislature now in session, a bill requiring every teacher in the state to take an oath of allegiance to both the federal constitution and the state constitution. This oath to be called the "Teacher's Oath of Allegiance." Wednesday this bill was introduced by Senator Ivan Mattson. For several years the state conferences of this organization have gone on record as endorsing such a bill but this is the first time that they have presented one. The motion to present such a bill was made by Fort Kearney chapter of Kearney and seconded by Major Isaac Sadler chapter of Omaha. The entire state organization is behind the bill, numbering approximately fifty chapters, as well as the national committee for national defense headed by Mrs. W. A. Becker the bill:

## Oath to Support Federal and State Constitutions.

Section I. It shall be unlawful for any citizen of the United States to serve as teacher, instructor or professor in any school or institution in the public school system of the state or in any school, college, university or any other educational institution in this state whose real property or any part of it is exempt from taxation until he or she shall have taken and subscribed to the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of Nebraska, and that I will faithfully discharge according to the best of my ability, the duties of my position to which I am assigned."

Section II. The oath required by Section I shall be administered by the county clerk of each county wherein such citizen resides or is employed to teach. The county clerk shall administer such oath without any other fee or compensation than which is received by him in his official capacity, and shall be required to keep a book in which shall be recorded such oaths. This section shall not be construed to require a person to take the oath more than once during the time he or she is employed in the state of Nebraska.

Section III. Any citizen violating this act shall be guilty of a misdemeanor; and, upon conviction, shall be punished with a fine not exceeding one hundred dollars (\$100.00) or confined in the county jail for thirty days.

Mrs. E. F. Wescott of Plattsmouth formerly state regent of the D. A. R. was one of the originators of this movement.

## TINY ISLE GETS ATTENTION

Washington.—A tiny isle in the Pacific became the focal point of the administration's plan to establish an airplane service to the far east this year.

On uninhabited Wake Island, one of a string connecting the Hawaiian islands with the Philippines, Pan-American Airways will build this spring a filling station for its West Coast-Canton, China, line. A temporary plan has been drawn up at the navy department and only awaits formal approval by Secretary Swanwick. Permission to Pan-American to build other facilities at Midway island and Guam also is expected.

Swanwick insisted "studies" of the use of Wake Island, Midway Island and Guam by Pan-American had no military significance. He acknowledged, however, construction of commercial aviation bases in the Philippines had been held up because of "a feeling that Japan might not like it."

## MAY REPEAL INDIAN TAXES

Washington.—The Indian affairs committee reported favorably to the house a bill which would repeal two measures authorizing the taxation of lands held thru allotment by Indians of the Omaha and Winnebago tribes in Nebraska. The bill was sponsored by the bureau of Indian affairs and Commissioner Collier told the committee the repeal of the old measures was necessary to remove inequalities placed upon these tribes.

## DANIEL FREEMAN PARK BILL

Washington.—Senator Norris introduced a bill calling for establishment of a national park on the Daniel Freeman homestead in Gage county.

## ROBBER WAGES RAISED

Akron, O.—Pay increases which will average five cents an hour for nearly 40,000 rubber workers will be made effective here next week.

## \$43,054 BACK PAY RESTORED

Omaha.—A report on labor compliance under the NRA in Nebraska, issued by state NRA headquarters here Friday, showed that \$43,054 in "back pay" was restored to 1,209 employes in 398 cases adjusted in 1934.

The report made by H. T. Williamson, state director, and Roy M. Brewer, compliance officer, said that of 2,066 complaints filed by workers, 607 were found to have no basis of adjustment, 582 were found unsuitable for investigation and 249 were adjusted without compensation.

## Farmers Look Ahead and Buy Seed Grain

P. H. Stewart Warns of Inferior Grades That Are Now Being Offered for Sale.

Nebraska farmers are looking ahead by getting their small grain seed supply for spring planting either locally or thru supplies held by the federal seed stocks committee, says P. H. Stewart, extension agronomist at the college of agriculture. Increased plantings of oats and barley are forecast.

Agricultural agents are busy urging farmers to get their seed supply located. Shipment of federally controlled conservation stocks is expected soon in many counties where consolidated orders have been made up. Luckily, the adaptation problem, present in moving corn from one region to another, will not bother Nebraska farmers wishing to get small grain seed. It is entirely safe to ship in seed of small grains provided they are of the correct varieties, the agronomist advises.

In buying 800,000 bushels of grain at Omaha and Sioux City for the federal committee, samples were taken of approximately twice that amount. Many lots were turned down because of poor germination, inferior quality or presence of noxious weeds. Some of this undesirable grain is now being offered to farmers. The agronomist, however, says considerable desirable seed was turned down on account of price.

"Undoubtedly, it would be wise for every farmer or elevator man who is offered oats for seed purposes to very carefully check them as to germination," Stewart declares. "They should be checked for freedom from weeds, such as quack grass or bindweed, and as to variety."

"We are now getting some oats of the midseason and late varieties from the north central states and many of these lots are mixtures of early and late types. Such lots would be undesirable for seed because of lack of uniformity and ripening. In buying grain for the seed stocks committee, care was taken to secure lots uniform in variety and type, as well as those of satisfactory germination and purity."

## DOZING DRIVERS TO BLAME

Chicago.—"The driver was asleep." Reports of 20,000 accidents in the United States during 1934 carried the cryptic notation, the national safety council said in a bulletin on "too long at the wheel."

And many more thousands of accidents caused by drivers dozing were charged to "mechanical failures" or other causes because the drivers did not want to admit sleeping on the road, the council asserted.

Such accidents, the report said, ranged from 0.5 percent of total motor vehicle accidents in North Carolina to 5.1 percent in Illinois, but the fatality rate in the 20,000 mishaps was many times that for traffic accidents as a whole. Dangerous periods, the council said, were from 4 to 6 a. m., when resistance to sleep was lowered, and in the early afternoon.

## NEWS ADVERTISING GAINS

New York.—Newspaper advertising registered a 28 percent increase from its depression low point to the end of December, it is shown by the new index of newspaper advertising published by Printers' Ink. The December figure stood at 75.4 against a low of 54.5 reached in March, 1933, and was 9.3 percent above the figure for December, 1932.

The volume of newspaper advertising, says the publication, closely followed the course of general business conditions. From the low in March, 1933, there was a rapid advance to August, then a slackening off until February, 1934, followed by a rapid rise until June, and finally an irregular decline last summer and fall.

Journal ads bring you news of timely bargains. Read them!

