

State Adjusting After Upturn In Elections

Governor Cochran Accepts Verdict as Desire to Avoid the Utopian Plans of Campaign.

OMAHA, Nov. 10 (UP)—Nebraska today began taking stock of its new political situation following the many surprising results of Tuesday's balloting which gave the republicans two new congressmen and ousted every democratic office holder in the state house with the exception of Secretary of State Harry Swanson.

Governor R. L. Cochran, by virtue of a 38,000 lead in Omaha was able to eke out a 15,000 majority over Charles J. Warner, republican. With the mail vote yet to be counted the total number of ballots cast will be about 500,000 of which Cochran will have 220,000, Warner 205,000 and former Gov. Charles W. Bryan about 75,000.

Latest returns from the outlying rural districts enabled T. W. Bass, Broken Bow to defeat State Treasurer Walter Jensen by about 5,000 votes on the basis of the unofficial returns in the early counting Jensen had held onto a 20,000 lead he had acquired in Omaha.

Addition of the two missing first district precincts failed to change the congressional race and without the mail vote George H. Heinke, rep., has a 300 lead over Rep. Henry Luckey, democrat.

Other results reported yesterday remained unchanged.

There were those that boasted that Nebraska's famed "white spot" had won because of Cochran's victory. But until an analysis of the new unicameral legislature is had no one will know in what direction the state's policies will turn.

Unicameral results disclosed that 20 old members were returned, but

showed the defeat of 12 including such conservative stalwarts as Robert M. Armstrong, Auburn; John Knickrehm, Grand Island; William Worthing and Paddy McMahon, Omaha, and John D. Reynolds, Niorara. Others defeated were Emil Brodecky, Howells; Henry Brondt, Beatrice, Frank Wells, Fairbury; R. C. Regan, Columbus; Tracy Frost, St. Paul; Earl Carpenter, Guide Rock, and Harry Pizer, North Platte.

Political thought of successors of these men and of others elected to the legislature was unknown as many instances. Some of them, it was known, had won because of backing of old-age pension and other groups.

Because of the scrambled results it was hard to get a definite line on the strength of the sentiment on old age pension and homestead exemption. Both Warner and Bryan advocated or gave tacit approval of them. So did Terry Carpenter.

Cochran and William E. Johnson, republican lieutenant governor-elect, oppose any change in the "white spot" program. Both were elected but by small margins, Cochran because of a big lead in Omaha.

Other tests of conservatism versus radicalism were had in the first and fourth congressional district races. In his fourth staunch New Dealer Charles G. Binderup went down to smashing defeat by Carl T. Curtis, republican. In the first Rep. Luckey, who, however did not support the new deal by anything like 100 per cent, lost to conservative George H. Heinke, whose first motion if he goes to Washington probably would be to repeal all present agricultural legislation.

Gov. Cochran in a statement, however, took the result to mean endorsement of his policies as governor.

The result, the governor said, "serves notice to a nation gone wild over utopian schemes and nostrums, that this is one state that continues to operate in a conservative and reasonable manner."

It was pointed out that those can-

didates re-elected to congress, McLaughlin, Omaha, Coffee, Chadron and Stefan, Norfolk, are all conservatives, whereas Luckey, Binderup and Edgar Howard, defeated by Stefan had been endorsed by Townsends.

Robert Simmons' majority over "Abe" Sorensen for chief justice will approximate about 50,000 on the official count.

Only repeal of the double banking liability clause received more affirmative than negative votes in the balloting on constitutional amendments. So many people failed to vote on amendments, however, that even this is likely to fail because the total of affirmative votes is not expected to reach the necessary 35 per cent.

The vote on the proposal will not exceed 300,000 of the 500,000 cast and its majority is likely to be in the neighborhood of 20,000. It will take the official count and a decision by the secretary of state on whether 35 per cent of the total vote had been obtained to determine the result. The slot machine amendment was defeated more than 3 to 1.

EARLY FRUIT RAISING

Today, the orchards of southeastern Nebraska make a beautiful sight in early spring when the trees were in bloom, and again in the fall when the ripened fruit bends branches almost to the ground. Once, however, this was a country of rough, timbered slopes apparently worthless, at least for agriculture. Enterprising pioneers, observing the numerous growths of wild fruit trees, decided to try fruit raising.

Early attempts to develop these slopes into a fruit producing country, say research workers of the Federal Writers' Project, WPA, were started almost as soon as the territory was opened for settlement. One of the early experimenters in the fruit industry, William H. Lowe, of Nebraska City, reported in 1867 that his first crop of peaches, harvested in 1860, was fifty bushels and that his crop had increased every year for several years. Mr. Lowe also had an orchard of between two and three hundred apple trees, from which he got good yields every year after 1861.

Another pioneer Nebraska fruit grower, J. H. Masters, of Otoe county, reported in 1869 that he had had satisfactory results growing apples, pears, cherries, currants, apricots and gooseberries.

Many other fruit growers had equal success and helped to make the fruit of southeastern Nebraska famous throughout the nation.

CALLS DOCKET

From Monday's Daily—
This morning Judge W. W. Wilson came up from Nebraska City to hold a session of the district court and call the docket for the November term of the court and assign the various cases for trial.

There was a large attendance of the members of the bar from this county as well as many from Omaha and Lincoln who have litigation before the court.

Subscribe for the Journal.

Walter H. Smith
LAWYER
Plattsmouth State Bank Building
Plattsmouth, Nebraska

J. Howard Davis
Attorney at Law
Plattsmouth

NOTICE OF PROBATE

In the County Court of Cass County, Nebraska.
To all persons interested in the estate of William A. Armstrong, deceased. No. 3368:

Take notice that a petition has been filed for the probate of an instrument purporting to be the last will and testament of said deceased, and for the appointment of Evan H. Armstrong as Executor thereof, that said petition has been set for hearing before said Court on the 2nd day of December, 1938, at 10 o'clock a. m.

Dated November 2, 1938.
A. H. DUXBURY,
County Judge.

NOTICE OF SUIT TO QUIET TITLE

In the District Court of the County of Cass, Nebraska.
C. A. ROSENCRANS and LUCILLE ROSENCRANS, Plaintiffs

vs. NOTICE
John Moore, et al., Defendants

To the defendants: John Moore, Mrs. John Moore, first real name unknown; Amanda Newman, Newman, first real name unknown;

D. Remick, first real name unknown; Mrs. D. Remick, first real name unknown; the heirs, devisees, legatees, personal representatives and all other persons interested in the estates of John Moore, Mrs. John Moore, first real name unknown; Amanda Newman, Newman, first real name unknown; D. Remick, first real name unknown, and Mrs. D. Remick, first real name unknown, each deceased, real names unknown; and all persons having or claiming any interest in and to Lot one (1), in Block nine (9), in the City of Plattsmouth, Cass county, Nebraska, real names unknown:

You and each of you are hereby notified that C. A. Rosencrans and Lucille Rosencrans, the plaintiffs, filed a petition and commenced an action in the District Court of Cass County, Nebraska, on October 31, 1938, against you and each of you; the object, purpose and prayer of which is to obtain a decree of court quieting the title to Lot one (1), in Block nine (9), in the City of Plattsmouth, Cass county, Nebraska, in plaintiffs as joint tenants, and for equitable relief.

You and each of you are further notified that you are required to answer said petition on or before Monday, the 19th day of December, 1938, or the allegations contained in said petition will be taken as true and a decree rendered in favor of plaintiffs and against you and each of you according to the prayer of said petition.

Dated this 5th day of December, 1938.
C. A. ROSENCRANS and LUCILLE ROSENCRANS, Plaintiffs.

W. A. ROBERTSON, Attorney for Plaintiffs. n7-4w

NOTICE OF SUIT TO QUIET TITLE

In the District Court of the County of Cass, Nebraska
Margaret Albert, Plaintiff

vs. NOTICE
Plattsmouth Ferry Company, et al., Defendants

To the defendants: Plattsmouth Ferry Company; W. E. Ellison, first real name unknown; Mrs. W. E. Ellison, first real name unknown; the heirs, devisees, legatees, personal representatives and all other persons interested in the estates of W. E. Ellison, first real name unknown; Mrs. W. E. Ellison, first real name unknown; H. E. Ellison, first real name unknown, and August Anderson, each deceased, real names unknown; the successors and assigns of Plattsmouth Ferry Company, real names unknown, and all persons having or claiming any interest in and to Lot seven (7), in Block forty-three (43), in the City of Plattsmouth, Cass county, Nebraska, real names unknown:

You and each of you are hereby notified that Margaret Albert filed a petition and commenced an action in the District Court of Cass County, Nebraska, on November 2, 1938, against you and each of you; the object, purpose and prayer of which is to obtain a decree of court quieting the title to Lot seven (7), in Block forty-three (43), in the City of Plattsmouth, Cass county, Nebraska, and for equitable relief.

You and each of you are further notified that you are required to answer said petition on or before Monday, the 19th day of December, 1938, or the allegations contained in said petition will be taken as true and a decree rendered in favor of plaintiff and against you and each of you according to the prayer of said petition.

Dated this 5th day of November, 1938.
MARGARET ALBERT, Plaintiff.

W. A. ROBERTSON, Attorney for Plaintiff. n7-4w

NOTICE OF SUIT TO QUIET TITLE

In the District Court of the County of Cass, Nebraska
Elmer Elliott and Roxie Elliott, Plaintiffs

vs. NOTICE
Samuel Casey, et al., Defendants

To the defendants: Samuel Casey, Mrs. Samuel Casey, first real name unknown; the heirs, devisees, legatees, personal representatives and all other persons interested in the estates of Samuel Casey, and Mrs. Samuel Casey, first real name unknown, each deceased, real names unknown; and all persons having or claiming any interest in and to Lot seven (7), eight (8), nine (9), ten (10), eleven (11), and twelve (12), in Block twelve (12), in Townsends Addition, also known as A. H. Townsends Addition to the City of Plattsmouth, Cass county, Nebraska, real names unknown:

You and each of you are hereby notified that Elmer Elliott and Roxie Elliott, the plaintiffs, filed a petition and commenced an action in the District Court of Cass County, Nebraska, on October 31, 1938, against you and each of you; the object, purpose and prayer of which is to obtain a decree of court quieting the title to the north half of Lots four (4), five (5), and six (6), in Block nineteen (19), in the City of Plattsmouth, Cass county, Nebraska, real names unknown; and to quiet the title to the south half of Lots four (4), five (5), and six (6), in Block nineteen (19), in the City of Plattsmouth, Cass county, Nebraska, in the plaintiffs Charles E. Waters and Ida Waters, as joint tenants, and for equitable relief.

You and each of you are further notified that you are required to answer said petition on or before Monday, the 19th day of December, 1938, or the allegations contained in

said petition will be taken as true and a decree rendered in favor of plaintiffs and against you and each of you according to the prayer of said petition.

Dated this 31st day of October, 1938.
ELMER ELLIOTT and ROXIE ELLIOTT, Plaintiffs.

W. A. ROBERTSON, Attorney for Plaintiffs. n7-4w

NOTICE OF FINAL SETTLEMENT

In the County Court of Cass County, Nebraska.
In the Matter of the Trusteeship of the Estate of John Klaurens, Deceased.

Trusteeship No. E-1678. To all persons interested in the above entitled matter:

You and each of you are hereby notified that F. H. McCarthy, Trustee of the estate of John Klaurens, deceased, has this date filed a petition in this Court alleging that he has completed the trust created under the last will and testament of said deceased and that said trusteeship proceedings should be terminated, praying for approval of his final report filed herein on this date, together with all prior reports heretofore filed, and for an order of Court distributing and pro-rating the remainder of the assets now in his possession as said trustee, and for his discharge;

You are further notified that a hearing will be had upon said petition together with all reports of said trustee before this Court on November 25, 1938, at the hour of ten o'clock a. m.

All objections to the allowance of said reports and the granting of the prayer of said petition should be filed in this Court on or before said hour and date of hearing.

Dated this 31st day of October, 1938.
A. H. DUXBURY, (Seal) c51-3w County Judge.

NOTICE OF SUIT TO QUIET TITLE

In the District Court of the County of Cass, Nebraska
Janet McKercher Clement, Charles E. Waters and Ida Waters, Plaintiffs

vs. NOTICE
Wm. O'Neill, et al., Defendants

To the defendants: Wm. O'Neill, Mrs. Wm. O'Neill, first real name unknown; Mary A. Scramton, Scramton, first real name unknown; I. Shinn, first real name unknown; Mrs. I. Shinn, first real name unknown; R. M. Worley, first real name unknown; Wm. O'Neill, first real name unknown; Mrs. Wm. O'Neill, first real name unknown; Mrs. S. N. Merriam, first real name unknown; S. N. Merriam, first real name unknown; G. S. Ruby, first real name unknown; Mrs. G. S. Ruby, first real name unknown; the heirs, devisees, legatees, personal representatives and all other persons interested in the estates of Wm. O'Neill, Mrs. Wm. O'Neill, first real name unknown; Mary A. Scramton, Scramton, first real name unknown; I. Shinn, first real name unknown; Mrs. I. Shinn, first real name unknown; R. M. Worley, first real name unknown; Wm. O'Neill, first real name unknown; Mrs. Wm. O'Neill, first real name unknown; Mrs. S. N. Merriam, first real name unknown; S. N. Merriam, first real name unknown; G. S. 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