

# City Council Has an Interesting Meeting

Wholesale Bread Truck Licenses, Firemen's Convention, and Chicago Avenue Discussed.

From Tuesday's Daily—  
The city council at their regular last of the month meeting Monday night, had a very interesting session, with a wide range of subjects to come to their attention.

A communication was received from the Lincoln Telephone & Telegraph Co., in which the company brought up the matter of the telephonic police alarm system by which the operators at the exchange handled calls by means of the telephone and red light. It was asked that the city absolve the company from any litigation or damages that might be raised or brought in court by reason of these police calls. On motion of the judiciary committee the communication was received and the mayor and clerk authorized to sign the agreement for the city.

The city clerk also read communications from the Schulz Baking Co., and the P. F. Peterson Baking Co., in which both companies requested that the sum of \$30 paid for occupation tax as a wholesale bread distributor in the city be returned. The communications alleged that the ordinance levying the tax was in violation of the constitution of the United States and the state of Nebraska.

Mayor Lushinsky stated that representatives of the companies had been here at various times and stated that the ordinance was fair. The local bakery paid the tax as charged the others and had not kicked about it. The business men of the city had promised to back the city in the ordinance by supporting the companies paying the tax. On motion the letters were ordered placed on file and City Attorney Davis stated that the city would defend the ordinance.

Chief of Police Dr. O. Sandin reported two fires, boiling wax on a stove in a residence at 8th and Gold streets, also a grass fire on Elm street, no damage in either case.

Police Judge C. L. Graves reported for the week of October 12th, two arrests, fines and costs of \$16.50.

Dr. Sandin was present in person and gave a very interesting resume of much of the work of the firemen's convention. One of the main subjects had been that of the rural fire districts which had interested the chief's section of the meeting. Sixty per cent of the residents of the district were necessary to create the district and to provide for the maintaining of the district through a small tax. Chief Sandin brought up a matter of much interest to the firemen, that of the liability of a volunteer fireman driving a truck or other fire fighting apparatus that might hit another vehicle or person and injure or damage them. It was revealed that the policy carried on the local truck covered fire and theft and that the firemen covered by the compensation policy for personal injury, there was no provision for personal liability insurance in the policies. A number were of the opinion that the firemen acting as the agent of the city made the city and not the driver liable.

Dr. Sandin in discussing the rural district cited two that were operating in excellent shape, that at Ponca and Grand Island.

Chairman Webb of the tax and property committee, presented a deed for the duplex house on Wintersteen hill, purchased by Frank Rice and the mayor and clerk authorized to sign the deed.

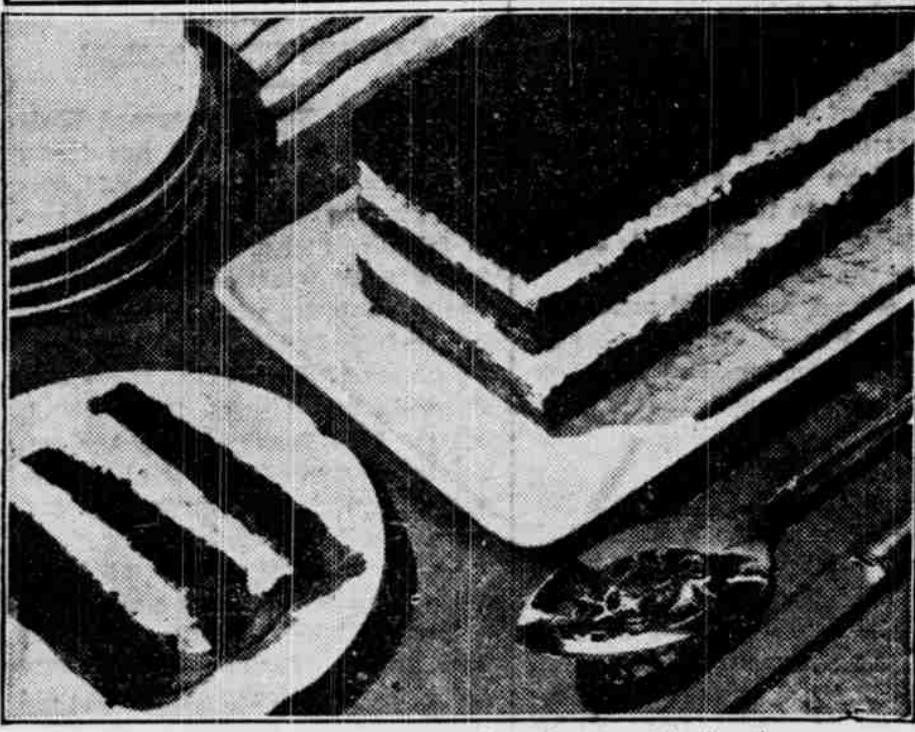
Chairman Gabelman of the streets, alleys and bridges committee, reported that another day should see the completion of the re-rocking of the ditch on Lincoln avenue.

Chairman Schutz of the fire and water committee reported that the committee had interviewed the representatives of the water company relative to the lack of water supply in the south part of the city and the low pressure at that point. They had visited the section and the water company had claimed the lack of water and low pressure was due to the fact that fire hydrants over the city had been flushed and which had lowered the supply. Fire Chief Sandin stated that the pressure at the dead ends of the water mains in the south and west part of the city was only twenty-three pounds.

Mayor Lushinsky told of the safety patrol meeting at the schools Monday morning and afternoon and the plans for the active organization of boys and girls of the city and parochial schools into these troops.

The police committee of the council

## Simply Impressive Ice Cream Cake Will Get Three Cheers and Tiger.



TO DELIGHT THE EYE as well as the palate, try this tiger ice cream cake at your next hot-weather party. It consists of layers of devil's food cake put together with apricot rennet custard ice cream, which will delight your heart too, because only 1/4 of its liquid is cream, yet it contrives to be velvety-smooth and deliciously full-bodied.

A dessert for a hot-weather party which is both unusual and easy to prepare is really something of an achievement. Ideas have a way of flowing sluggishly in hot weather, and it is only too easy to give up with the melancholy reflection that everything's been done before.

Here's an idea with no past, so far as we know. We might tell you that we got it looking at the tiger in the zoo, but it's just as new as though that were strictly true. You'll see that the tiger really belongs in this picture when we reveal that it is a new kind of layer cake, with alternate layers of rich brown devil's food cake and bright golden apricot ice cream. You lay them together on your nicest oblong platter and serve it in slices.

Not the least exciting part about this striped beauty is that only one-fourth of the total liquid is whipping cream, whereas most homemade ice creams use from one-half to twice as much cream as milk. Of course that means fewer calories and less expense, but it does not mean less creamy smoothness. In fact you never ate a more delicious ice cream than this one in which rennet takes the place, so to speak, of much of the cream and most of the cooking which probably goes into the ice creams you are in the habit of making.

But try it yourself. Use your favorite devil's food recipe, and this recipe for the ice cream:

### Tiger Ice Cream Cake

- 2 rennet tablets
- 2 tablespoons cold water
- 3 cups milk
- 1 cup heavy cream (30%)
- 1 cup sugar
- Pinch salt
- 1 1/2 cups dried apricot puree
- 2 teaspoons lemon juice
- Devil's Food loaf cake

Dissolve rennet tablets in the water. Warm milk, cream and sugar to lukewarm (110° F.) in top of double boiler. Remove from heat, quickly stir in dissolved rennet tablets, and pour into freezer can. Let stand at room temperature until firm and cool. Add apricot puree and lemon juice, and freeze in a mixture of 6 parts ice to 1 part salt until stiff. Lift out can, remove dasher, and replace cover, corking hole tightly. Empty ice can and water from freezer, replace can, and re-pack with 12 parts ice to 1 part salt. Let stand several hours before serving.

Have devil's food cake baked in 3 shallow oblong pans. Cool; then place in refrigerator to chill thoroughly. When ready to serve, spread quickly a thick filling of firm apricot ice cream between the layers. If preferred, it may be served as an ice cream sandwich, using 3 small scoops of firm ice cream between 3-inch squares of chilled cake. Serves 12 to 15.

## Two Members of German Plane Crew Killed

British Report Plane Forced Down Near Humber, Scotland—Two of Crew Prisoners.

LONDON, Oct. 28 (UP)—Two members of the crew of a German plane forced down near Humber, Scotland were killed today, the air ministry announced. One who was wounded and the pilot, who was uninjured, were taken prisoners.

The plane caused an air alarm for half an hour, and gun fire was heard at several points. No bombs were dropped.

Players in and participants of a charity golf match, including the famous Henry Cotton, watched puffs of smoke from anti-aircraft shells near the Royal Burgess golf course. They and other watchers saw a German plane, so high in the clouds that it appeared a glinting dot, fly toward the coast and turn back when guns fired. This apparently was the plane which was forced down.

### THIRD TERM TALK BY WALLACE NOT AUTHORIZED

WASHINGTON, Oct. 26 (UP)—Presidential Secretary Stephen Early said today that Secretary of Agriculture Henry Wallace should have consulted President Roosevelt before advocating a third term for Mr. Roosevelt.

Wallace said in an interview at San Francisco that Mr. Roosevelt should be elected for a third term because he is the best man qualified in the nation to guide the country in a serious international crisis.

"It would have been kind of the speaker to have consulted the victim before he spoke," Early said. Reporters told Early that the chief reaction in congress to Wallace's statement seemed to have been that it was ill-timed.

"It could have been timed better if it had to be time at all," Early replied.

### PALMYRA MEN INJURED

LINCOLN, Oct. 26 (UP)—Lincoln entered the 113th day of its all-time record span without a traffic fatality on this ice today as two Palmyra, Nebraska men were seriously injured shortly after midnight.

Patrolman Mark Leninger said Charles Strayer, 55, and Lawrence Yearsley, 46, were riding south at a good rate of speed on a street which was unfamiliar to them in the southwest sector and failed to see a sharp jog to the left. The automobile, driven by Strayer, hurdled across the intersection into a ten-foot ditch. Strayer received a crushed chest and head injuries against the steering wheel and Yearsley, 46, were riding south at head and a knee injury when he was thrown into the windshield.

### NOTICE TO CREDITORS

In the County Court of Cass County, Nebraska.

To the creditors of the estate of Sarah Elizabeth Kerr, deceased. No. 3431:

Take notice that the time limited for the filing and presentation of claims against said estate is February 26, 1940; that a hearing will be had at the County Court room in Plattsmouth on March 1, 1940, at ten o'clock a. m. for the purpose of examining, hearing, allowing and adjusting all claims or objections duly filed.

Dated October 27, 1939.  
A. H. DUXBURY,  
County Judge.

### NOTICE TO CREDITORS

In the County Court of Cass County, Nebraska.

To the creditors of the estate of Alletha J. Rouse, also known as Alletha Rouse, deceased. No. 3430:

Take notice that the time limited for the filing and presentation of claims against said estate is February 26, 1940; that a hearing will be had at the County Court room in Plattsmouth on March 1, 1940, at ten o'clock a. m. for the purpose of examining, hearing, allowing and adjusting all claims or objections duly filed.

Dated October 30, 1939.  
A. H. DUXBURY,  
County Judge.

### NOTICE OF FINAL SETTLEMENT

In the County Court of Cass County, Nebraska.

To all persons interested in the estate of Amelia Monroe Wynn, deceased. No. 3287:

Take notice that the Administrator of said estate has filed his final report and a petition for examination and allowance of her administration accounts, determination of her estate and for her discharge; that said petition and report will be heard before said Court on November 10, 1939, at ten o'clock a. m.

Dated October 16, 1939.  
A. H. DUXBURY,  
County Judge.

### PLAYS IN FRESHMAN GAME

The University of Nebraska freshman football squad Friday afternoon were divided into two teams, the Whites and the Greens, to stage a very interesting battle in which the Whites were winners 17 to 0. Ronald Rebal of this city was the fullback on the victorious White team.

### NOTICE OF REFEREE'S SALE

Notice is hereby given that by virtue of, and pursuant to, an order of the District Court of Saunders County, Nebraska, made and entered on the 2nd day of October, 1939, in an action pending therein, wherein George C. Martin and Lloyd Martin are plaintiffs and Winifred Booher, Alice Mays, Andy Mays, Adelaide Nightingale, Arnie Nightingale, Harry B. Miller, Marie Miller, Hazel Madden, Frank Madden, Florence Martin, Glenn Martin, Violet Martin, Pauline Martin, Ethel Barger, Jerry Barger, Merle Martin, Ruth Martin, and Mae Martin are defendants, the undersigned, Referee in said action, will, on Monday, the 13th day of November, 1939, at the hour of three o'clock in the afternoon of said day, at the front door of the dwelling house situated on the real estate hereinafter described in Cass county, Nebraska, sell for cash to the highest bidder therefore, the following described real estate, to-wit:

Lot four (4) in the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4), Section thirty-two (32), Township twelve (12), Range nine (9), East of the 6th P. M., Cass county, Nebraska, except a strip of land on the East side, seventeen rods (17 rds.) wide and the C. B. & Q. Railway right-of-way.

Said sale will remain open for one hour.

Dated this 3rd day of October, 1939.

H. A. BRYANT,  
J. C. BRYANT, Referee.  
Attorney.

### NOTICE OF HEARING

Estate No. 3437 of Emil Michel Hobscheidt, deceased in the County Court of Cass County, Nebraska.

The State of Nebraska. To all persons interested in said estate, creditors and heirs take notice, that John Hobscheidt, Sr., father of said deceased, and interested as such, has filed a petition herein alleging that Emil Michel Hobscheidt died intestate in Cass county, Nebraska, on or about the 8th day of May, 1937, being a resident and inhabitant of Cass county, Nebraska, and the owner of the following described real estate, to-wit:

An undivided one sixth (1/6) interest in and to the northeast quarter (NE 1/4) of Section thirty-five (35), Township eleven (11), North, Range thirteen (13), East of the 6th P. M., in Cass county, Nebraska, and the north half (N 1/2) of the northeast quarter (NE 1/4) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of Section thirty-six (36), all in Township eleven (11), North, Range thirteen (13), East of the 6th P. M., except beginning at a point 5 and 50/100 chains west of the northeast (NE) corner of Section thirty-six (36), Township eleven (11), North, Range thirteen (13), East of the 6th P. M., thence running south 3 and 58/100 chains, thence west 4 chains, thence north 3 and 58/100 chains, thence east 4 chains to the point of beginning and containing 1 and 43/100 acres and excepting a tract of land commencing at the Quarter Section Corner on the north side of Section thirty-six (36), Township eleven (11), North, Range thirteen (13), East of the 6th P. M., thence south 11.05 chains, thence east 30 3/4 links, thence northeast (NE) to a point 2.67 chains east of said Quarter Section Corner, thence west 2.67 chains to the place of beginning, containing 1.65 acres in Cass county, Nebraska, and Lot ten (10), in Block fifty-eight (58) in the City of Plattsmouth, Cass county, Nebraska, all subject to the life estate of John Hobscheidt, Sr.; also an undivided one-sixth (1/6) interest in and to the following described personal property, to-wit: Shares of stock in the United Light and Railroad Company:

Certificate No. A-3623 for 20 shares issued in the sum of \$2,000.00;

Certificate No. A-3499 for 25 shares issued in the sum of \$2,500.00;

Certificate No. A-6459 for 25 shares issued in the sum of \$2,500.00;

Certificate No. A-11578 for 30 shares issued in the sum of \$3,000.00.

leaving as his sole and only heirs at law the following named persons, to-wit: John Hobscheidt, Sr., father, and Ethel Hobscheidt, mother; that no application has been made and the estate of said decedent has not been administered in the State of Nebraska; that the prayer of said petition is: "Wherefore, your petitioner prays for a determination of the time of the death of said Emil Michel Hobscheidt, and of his heirs, the degree of personal and real property belonging to said decedent, in the State of Nebraska."

You are further notified that said petition will be heard before the County Court of Cass County in the court house at Plattsmouth, Nebraska, at the hour of ten o'clock a. m. on the 24th day of November, 1939.

Dated this 28th day of October, 1939.

A. H. DUXBURY,  
County Judge.

### NOTICE OF ADMINISTRATION

In the County Court of Cass County, Nebraska.

To all persons interested in the estate of Grant Wetenkamp, deceased. No. 3433:

Take notice that a petition has been filed praying for administration of said estate and appointment of Albert A. Wetenkamp as Administrator; that said petition has been set for hearing before said Court on the 10th day of November, 1939, at ten o'clock a. m.

Dated October 16, 1939.  
A. H. DUXBURY,  
County Judge.

### REFEREE'S SALE

In the District Court of Cass County, Nebraska

Alma Amelia Hellman, Plaintiff

vs.

Harwood M. Penn and Stansie J. Penn, Husband and Wife, et al.

Defendants.

Notice is hereby given that under and by virtue of a decree of the District Court of Cass County, Nebraska, entered in the above entitled cause on the 30th day of August, 1939, and an Order of Sale entered on the 27th day of September, 1939, the Sole Referee will on the 8th day of November, 1939, at 2:00 o'clock p. m., at the front door of the Farmers and Merchants Bank at Alvo, in Cass County, Nebraska, sell at public auction to the highest bidder for cash, that is to say, 10 per cent on the day of sale, and the balance when said sale shall be confirmed by the Court, the following described real estate, to-wit:

The south half of the northwest quarter (SW 1/2 NW 1/4) of Section eighteen (18);

The north half of the north half of the southwest quarter (N 1/2 NW 1/4 SW 1/4) of Section eighteen (18);

The northwest quarter (NW 1/4) of Section thirty-one (31);

The west half of the northeast quarter (W 1/2 NE 1/4) of Section thirty-one (31)—

All of the above described property in Township eleven (11), North, Range nine (9), East of the 6th Principal Meridian in Cass county, Nebraska.

The undersigned referee may sell the above described real estate in parcels or as a whole, or in such combinations or parcels as will bring the best price obtainable.

Sale will be held open for one hour.

Dated this 28th day of September, 1939, at Plattsmouth, Nebraska.

WALTER H. SMITH,  
Sole Referee.

G. H. RISSER,  
Attorney for Plaintiff.

05-4w

### NOTICE OF HEARING

on Petition for Determination of Heirship

In the County Court of Cass County, Nebraska.

Estate of Abraham Smith, deceased. Estate No. 3435.

The State of Nebraska: To all persons interested in said estate, creditors and heirs take notice, that Ira G. Clinkenbeard and Dena R. Clinkenbeard have filed their petition alleging that Abraham Smith died intestate in Cass county, Nebraska, on or about October 24, 1938, being a resident and inhabitant of Cass county, Nebraska, and died seized of the following described real estate, to-wit:

Commencing at the NE corner of the SW 1/4 of NW 1/4 of Sec. 19, Twp. 12 N., Rge. 14 E. of 6th P. M., running W along the N line of said SW 1/4 of NW 1/4 293.45 feet to the center of road, thence S 47° 7' W (taking said N. line as a base from which to measure all right angles) 253.59 feet to point of commencing the description of land to be conveyed which is the northerly corner thereof, thence running S 47° 7' W (a continuation of last course) 405.47 feet, thence S 42° 53' E (at right angles to E line) 650.97 feet, thence N 0° 23' W parallel with the E line of said SW 1/4 of NW 1/4 600.18 feet, thence N 42° 53' West 208.47 feet to the place of beginning, containing 4 acres more or less; also—

All that part of the SW 1/4 of NW 1/4 of Sec. 19, Twp. 12 N., Rge. 14 E. of 6th P. M., more particularly described as follows: Commencing at a stone in the center of Lincoln Avenue N 30° E of SW corner of NW 1/4 of said Sec. 19, distance 771.1 feet, thence N 30° E 94.1 feet to a stone, thence N 47° 10' E 175.8 feet, thence S 42° 53' E 299.1 feet to a stone, thence W 379 feet to center of Lincoln Avenue to place of beginning, containing 93/100 acres more or less, all in Cass county, Nebraska—

leaving as his sole and only heirs at law the following named persons, to-wit: Florenza M. Smith, his widow; Charles S. Smith, Abraham M. Smith and Anselmo B. Smith, his sons.

That the interest of the petitioners in the above described real estate are subsequent purchasers, and praying for a determination of the time of the death of said Abraham Smith and of his heirs, the degree of kinship and the right of descent of the real property belonging to the said deceased, in the State of Nebraska.

It is ordered that the same stand for hearing on the 10th day of November, 1939, before the County Court of Cass County in the court house at Plattsmouth, Nebraska, at the hour of ten o'clock a. m.

Dated at Plattsmouth, Nebraska, this 13th day of October, A. D. 1939.

A. H. DUXBURY,  
County Judge.

05-4w

### NOTICE OF ADMINISTRATION

In the County Court of Cass County, Nebraska.

To all persons interested in the estate of Nellie Gorder, deceased. No. 3438:

Take notice that a petition has been filed praying for administration of said estate and appointment of Robert M. Painter as Administrator; that said petition has been set for hearing before said Court on the 24th day of November, 1939, at ten o'clock a. m.

Dated October 28, 1939.  
A. H. DUXBURY,  
County Judge.

### SHERIFF'S SALE

State of Nebraska }  
County of Cass } ss.

By virtue of an

Order of Sale issued by C. E. Ledgway, Clerk of the District Court within and for Cass County, Nebraska, and to me directed, I will on the 10th day of November, A. D. 1939, at 10 o'clock a. m. of said day at the south front door of the court house in the City of Plattsmouth in said county, sell at public auction to the highest bidder for cash the following real estate, to-wit:

An undivided two-sevenths interest in the Northeast Quarter and the North Half of the Southeast Quarter of the Northwest Quarter of Section 30, Township 11, North, Range 13, East of the 6th Principal Meridian, in Cass county, Nebraska, subject to the right of Mary E. Mast to occupy the dwelling thereon and yard around said dwelling during her natural life—

The same being levied upon and taken as the property of Arnold G. Mast, et al, defendants, to satisfy a judgment of said Court recovered by D. O. Dwyer, plaintiff against said defendants.

Plattsmouth, Nebraska, October 7, A. D. 1939.

JOE MRASEK,  
Sheriff Cass County,  
Nebraska.

09-5w

### ORDER TO SHOW CAUSE

In the District Court of the County of Cass, Nebraska

In the Matter of the Application of Robert M. Painter, Guardian of George E. Perry, Incompetent, for License to Sell Real Estate.

Now on this 9th day of October, 1939, there was presented to the court the amended petition of Robert M. Painter, guardian of George E. Perry, incompetent, for license to sell Sub-Lots one (1), two (2), and three (3), of Lot forty-six (46) in the northeast quarter (NE 1/4) of the southeast quarter (SE 1/4) of Section twenty-four (24), all in Township twelve (12), North, Range thirteen (13), East of the 6th P. M., in the City of Plattsmouth, Cass county, Nebraska, for the purpose of paying debts and charges of managing the estate of said ward, and investing the balance of the proceeds of said sale with interest as required by law until the principal thereof is needed for the maintenance of said ward.

And there was also presented the approbation of the County Board of the County of Cass, Nebraska, approving of such proposed sale and that they deem it necessary;

And it appearing that it is necessary and would be beneficial that said real estate be sold and the proceeds thereof over and above the amount necessary to pay debts and costs of managing said estate be put out at interest or invested as required by law, and it further appearing that an order should be entered requiring the next of kin and all persons interested to show cause why a license should not be granted for the sale of such real estate;

It is therefore Ordered that all persons interested in the estate of George E. Perry, incompetent, and the next of kin appear before the undersigned, Judge of the District Court within and for the County of Cass, Nebraska, at the District Court room in the court house in the City of Plattsmouth, Nebraska, on the 13th day of November, 1939, at 10 o'clock a. m., to show cause, if any, why a license should not be granted to Robert M. Painter, guardian of George E. Perry, incompetent, to sell Sub-Lots one (1), two (2), and three (3), of Lot forty-six (46), in the northeast quarter (NE 1/4) of the southeast quarter (SE 1/4) of Section twenty-four (24), all in Township twelve (12), North, Range thirteen (13), East of the 6th P. M., in the City of Plattsmouth, Cass county, Nebraska, for the purpose of paying debts and charges of managing said estate and investing the balance of the proceeds thereof as required by law.

It is further Ordered that a copy of this order be served upon the next of kin and all persons interested in the estate of the said George E. Perry, incompetent, by publication of this order in the Plattsmouth Journal, for three successive weeks prior to said date of hearing.

By the Court.

W. W. WILSON,  
Judge of the District  
Court.

016-3w

## J. Howard Davis

Attorney at Law

Plattsmouth

### TEACHERS TO CONVENTION

From Tuesday's Daily—  
The teachers in the city and parochial schools are to participate in the annual conventions held for the members of the teaching profession as a part of the program for the year of the Nebraska State Teachers' association and which is a part of the regulation for the teachers of the state.

The teachers in the city schools are largely attending the sessions of the second district meeting at Omaha or Lincoln Thursday and Friday while the teachers of the St. John's parochial school will attend the special meetings arranged for them at Lincoln.

### AGRICULTURAL CONSERVATION PROGRAM

Alfred Gansemer announces that he has been informed by the Commodity Credit Corporation that effective November 1st 1939 the interest rate on commodity loans will be reduced from 4 per cent to 3 per cent. This reduction on the basis of outstanding loans will mean a saving to Nebraska farmers of approximately \$150,000 per annum. The policy of the Commodity Credit Corporation is to reduce all interest rates and carrying charges to their lowest reasonable levels. It gives the farmers the opportunity to retain the maximum equities in the commodities under loan.

### FILE MURDER CHARGE

LINCOLN, Oct. 26 (UP)—County Attorney A. H. Smith today filed first-degree murder charges against Henry A. Swanson of Loomis, who is alleged to have shot and killed T. H. Malm, wealthy Dawson county farmer and stock raiser, at the Malm farmhouse five miles south of here. No date for a preliminary hearing has been set. Swanson indicated his defense probably will be self-defense. He said he shot because he thought Malm was reaching into his pocket for a weapon. He later gave himself up to the sheriff at Holdrege.

### MRS. BRIDGEWATER RETURNS

Mrs. James C. Bridgewater, who was taken to the St. Catherine's hospital Monday evening, underwent her operation Tuesday morning. She came through the operation in excellent condition and the result of her recovery was such that she was able to return to her home in this city late this afternoon.

### P. H. S. FOOTBALL RECORD

Plattsmouth high school's football record to date:

Date Opponent We They

Sept. 15, Weeping Water 25 0

Sept. 20, Glenwood, Iowa 20 7

Sept. 29, Valley 24 6

Oct. 6, Sidney, Iowa 19 0

Oct. 13, Ashland 38 0

Oct. 20, Blair 13 20

Total games, 6.

Plattsmouth's total points, 139.

Opponents' total points, 33.