

Wardner G. Scott Named as Head of Highway Dept.

Wade R. Martin of Stratton to Be Head of State Banking Department Is Announced.

OMAHA, Dec. 6 (UP)—Wardner G. Scott of Lincoln, will be state engineer in Dwight Griswold's cabinet, the governor-elect announced today.

Scott will succeed A. C. Tilley, who has held the post since his former chief, Gov. R. L. Cochran, was elevated to the governorship.

Griswold also announced that he will appoint Wade R. Martin of Stratton to be superintendent of banking, and Dr. A. L. Miller of Kimball to be director of public health.

Martin is president of the Commercial bank of Stratton, a graduate of the University of Nebraska, and has served as district president of the State Bankers' association.

In 1928-29 he was state commander of the American Legion. He is a son of Grant G. Martin, once a member of the state supreme court commission, who was once a candidate for chief justice.

Dr. Miller was defeated by Griswold for the republican gubernatorial nomination in the April primaries. During the campaign he toured the state in behalf of his successful rival. Miller is a former state senator and former president of the Nebraska Medical association.

Scott, 44, is a native of Lincoln and the owner of the Scott & Scott firm of consulting engineers. He attended the University of Nebraska and worked for a short time with the interstate commerce commission and the Los Angeles & Salt Lake City Railroad (now part of the Union Pacific).

He returned to Lincoln in 1920 and with his father organized the Scott & Scott firm, which has handled work in connection with various drainage, sewage treatment, and sanitary sewer projects for 40 Nebraska municipalities. He is married and has a daughter attending the university. He is a member of the American Society of Civil Engineers and the Nebraska Engineering Society.

Martin, a member of the state advertising commission, succeeds Ben Saunders, who takes over active management of a bank in Kearney, January 1.

Miller, who has served as mayor of Kimball, district governor of the Lions club, is 48, married, and has one child. He formerly was Kimball county commander of the American Legion. Miller proposed recently to the legislative council the creation of a non-political public health council, to direct the state health department, and the state health program. He succeeds Dr. P. H. Bartholomew, who as colonel in the 110th medical guard is scheduled to leave with the guard units about January 1 for one year's training.

ARREST DRAFT EVADER

SPRINGFIELD, O., Dec. 7 (UP)—William Thorp, 27-year-old transient from Omaha held by federal authorities here as a draft registration evader, wants to join the army and authorities may permit it.

Thorp, arrested by railroad detectives, said he arrived at Chattanooga, Tenn., a day too late to register last October 16. From there he went to Fort Ogleshorpe and was tried to enlist in the army. He was turned down because he could not produce discharge papers from previous army service concluded in 1931, he said.

Federal agents said that if they find what he says is true they probably will drop charges and let him enlist.

HOPE TO SECURE RELEASE

WASHINGTON, Dec. 7 (UP)—Maynard Barnes, head of the U. S. embassy in Paris, told the state department today he is hopeful that Mrs. Elizabeth Deegan soon will be released by German authorities who have detained her in a small private hotel. Barnes reported that Mrs. Deegan was well treated by the detaining officials and was apparently in good health.

The department did not make public the text of his report, which was contrary to a previous announcement that Mrs. Deegan was being held in prison.

Deeds, mortgages and all sorts of legal blanks for sale at the Journal office.



Maternal Domination

The juvenile court judge saw it was going to be impossible to state to Herbert the charge against him so long as the boy's mother was hysterically reviewing all her troubles both actual and imaginary. Interruption did not dam the steady flow of words. Herbert was dismissed, and his mother, like a phonograph record, was allowed to run down.

Plainly Herbert was being stifled by her slavish devotion. She guarded him day and night, regulated his every action, endeavored to occupy his mind completely, and constantly reminded him of her efforts in his behalf.

A few days later, when they were called back in the hope that Herbert and the judge might discuss the subject of his being cited to court, the mother irrelevantly remarked, "Herbert, the burden of supporting you is beyond my strength and capacity."

"Yes, Mother," he responded, "You should not have to work so hard. If you will accept the invitation of Uncle Fred to live in his home, I will get a job and support myself. Uncle Fred needs you."

Angrily the mother answered, "I own you, and you do what I say. I don't deserve to be abused like this."

"I'm afraid, Mrs. A.," the judge said, when Herbert left the room, "that you are taking the wrong attitude toward your son in treating him as though he were a slave whom you own." Thereupon a fresh outpouring of scorn fell upon the judge's hapless ears.

Not many days after this second fruitless conference a physician bore the news to the court that Herbert

had attempted suicide by turning on the gas jets in the closed kitchen at home and lying down on the floor. Fortunately the gas meter was of the type that required a deposit of 25 cents, and either more than that amount was needed to extinguish life, or some had previously been used before Herbert turned it on.

Next time Herbert came alone to the juvenile court room. The attempted suicide, he said, was his only positive escape from his mother's domination.

"Herbert," the judge remonstrated, "you are 14 years old now. Soon you will be a man. Yes, I know, your home was disrupted by divorce when you were eight, and your mother has no other interest in life except you."

"But grown men have great problems, too, and they can't just lie down and die. They must find some other way out of their difficulties. How would you like to live with your cousins, Mary and John?—without your mother's going, of course?"

"Oh, fine!" Herbert was all enthusiasm at once.

Probation over, two years later, Herbert refused to live again under his mother's influence. Out of his large earnings he sends her a part every week, never overlooking gifts on mother's day and all holidays. Deeply attached to her regardless of her abnormal treatment of him, he feels she is not responsible for her attitude.

Ernest L. Reeker

NEBRASKA AND NEBRASKANS

By WILL M. MAUPIN

Without discussing the matter of two "lame duck" democrats and a democratic beneficiary voting a certificate of election to Harry Swanson, secretary of state, the writer wants to recall another state election contest fifty years ago. That the courts and the legislature will eventually settle the Marsh-Swanson contest is a certainty.

In 1890, when the populist wave was nearing its crest, L. D. Richards, republican; James E. Boyd, democrat; and John Powers, populist, were contesting candidates for governor. That Powers was elected on an honest vote, nobody who remembers that election will doubt. But prohibition was the chief issue, and Douglas county gave a miraculous vote to Boyd, anti-prohibition. Richards ran third. The canvassing card reported Boyd elected governor, with the republican candidates for lesser state offices also elected. Powers and his populist colleagues immediately filed notices of protest.

Under the law the legislature's duty was to meet in joint session, at which time the speaker of the house was to open and publish the returns.

This Speaker Sam Elder refused to do so on the grounds that a contest having been filed, he could not declare who was elected until the contest was settled. The combined republican and democratic cohorts immediately went before Chief Justice Amasa Cobb and secured a writ of mandamus ordering Speaker Elder to open the returns and declare the result. Then ensued a near riot that might have resulted in bloodshed.

Populist members and supporters barred the door to representative hall and prepared to resist entrance of the bearer of the writ.

The writ was given to "Pap" Hastings, a deputy United States marshal, supported by Police Captain Carder and a bunch of supporters. The door was forced open, a few blows struck, and Hastings served the writ. Had there been a couple or three populists with the nerve to put up a real fight, fatalities might have resulted. But the populists seemed to stand in too much awe of the law. Speaker Elder, still stuttering protests, opened the returns and declared Boyd elected governor, and likewise all the republican candidates for the lesser office.

Governor Thayer refused to vacate and barricaded himself in the executive office, then on the first floor in the southeast corner of the old capitol. Boyd took the quarters in the room then occupied by the Board of Railway Secretaries and appointed Gen. Victor Vifquain adjutant general. Thayer had the Lincoln Light Infantry guarding his quarters, com-

manded by Adjutant General Cole. Vifquain bluffed Cole and dismissed the guard. Then Thayer was frozen out by having the heat turned off in his offices.

Then followed the Thayer-Boyd contest, and state supreme court of three members deciding Boyd ineligible. Boyd retired and Thayer again assumed charge. But the supreme court of the United States reversed the Nebraska court and Thayer abdicated and Boyd assumed charge.

Meanwhile the Powers contest proceeded in a desultory manner and was finally abandoned. This, the writer believes, is the only time a contest was filed in a state election. However, Shallenberger contested Dahlman's vote in the primary that resulted in Dahlman's nomination. Dahlman was overwhelmingly defeated by Chester H. Aldrich.

Swanson's certificate of election is a worthless bit of paper. It was issued by a vote of three to two, Swanson being one of the three, and the other two, Governor Cochran and Treasurer Havekost, both very "lame ducks" politically. If the memory of the county clerk of Holt county is not at fault, the missing Holt county precinct will show Marsh elected by four votes. And more than one court has held that a certificate of election may not be legally issued until all the votes are in, counted and reported. The action of that state election board has a very distinct flavor of over-ripe limburger.

FILE DEFENSE CONTRACTS

WASHINGTON, Dec. 7 (UP)—The war department today filed contracts totaling \$2,580,381 in a major move to speed up the aerial rearmament program.

Aviation Manufacturing Corp., Williamsport, Pa., received a \$1,597,491 contract for expanding existing facilities, while Fairchild Engine & Airplane Corp., of Hagerstown, Maryland, was awarded \$982,890 to build a complete new plant and expand its present facilities. Both companies now make motors for training planes.

Shortage of engine production facilities has been one of the bottlenecks in the plant expansion program. The awards for engine expansion provide that the company will finance the construction from their own funds. The federal government will repay the cost of a five-year period. At the end of this time the companies will have the option of retaining the facilities or permitting the federal government to take them over.

Today's contracts mark the second major step by the war department in 24 hours to stimulate airplane production.

Unemployed Urged Not to Leave State

Transients Warned That They Should Remain Where They Are Unless Assured of Jobs.

"An influx of transient workers into Florida and several other states is creating a serious problem, and employment services in these states have requested us to urge unemployed workers not to leave Nebraska unless they are certain of securing jobs," states Harry Bane, state employment service director.

In addition to the annual trek of transients to southern states for the winter, thousands of workers who previously had no hope of obtaining work are going to other states expecting to get work on one of the defense projects, Bane explained.

"It is not our purpose to hamper men in search of work on their own initiative," the director said, "but it must be recognized that chances of a worker securing a job are small, according to the information we have received."

Florida's request is particularly urgent, Bane pointed out. "In order that this problem may not become more widespread and difficult to handle, this agency is appealing to you to publicize through your state-wide organizations that there are no jobs available in Florida, and that all workers, skilled and unskilled, should postpone migration unless they are certain of employment," the appeal said.

"The Nebraska State Employment Service is co-operating with federal agencies in securing defense workers, and interested persons should keep in contact with their nearest local offices for information on this work," Bane said. "Increased emphasis is being placed on specific skills in defense program work. Local employment offices are making every effort to place workers in jobs, both private and public."

"In the first 10 months of 1940, private placements through employment service offices have totaled 17,560 as compared to 14,139 private placements in the first 10 months of 1939, an increase over a year ago of 24 per cent," Bane stated.

MRS. BUTLER IN OMAHA

OMAHA, Dec. 6 (UP)—Mrs. Hugh Butler, wife of Nebraska's senator-elect, was "resting very well" today at Methodist hospital, where she was returned yesterday from Holdrege in the private car of General Manager Frank Mullen of the Burlington railroad. She was critically injured in a highway accident near Holdrege Thanksgiving eve.

MANY ENROLL IN NAVY

OMAHA, Dec. 7 (UP)—Floyd McKenney, Jr. of Auburn, and Edward Van Winkle and Robert Fritz both of Talmadge, were among 51 youths from Nebraska, Iowa, and South Dakota who enlisted in the navy here during the past week.

VISITS RELATIVES HERE

Mr. and Mrs. Louis Reinack have had as their guests for several days, their daughter, Mrs. Murie Forker of Blair. Mrs. Forker visited here as well as at Nebraska City with a sister, Mrs. E. C. Farris and with friends at Auburn. She returned home this afternoon.

HERE FROM LINCOLN

From Saturday's Daily—Mr. and Mrs. J. H. Leacock and Robert Yelick, of Lincoln, were here last evening. The gentlemen attended the football banquet while Mrs. Leacock visited with her parents, Mr. and Mrs. James Yelick.

John Curtis, one of the local Spanish war veterans, is at the U. S. Veterans' hospital at Lincoln. He is undergoing treatment for his eyes from which cataracts were removed some months ago.

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MARILYN ANN

"A stork flew over the ocean wild And under each arm he bore a child They pled for the boy but he shook his head, And left the girl child there instead."

And so it happened at the Methodist hospital in Hollywood. Parents, Mr. and Mrs. Ernest Tindall. Mrs. Tindall was formerly Miss Evelyn Sumner, daughter of Mr. and Mrs. D. S. Sumner.

Now they have decided to keep the girl baby; they are perfectly happy over the whole thing and wonder why they ever thought they would have preferred a boy. They have named the baby Marilyn Ann.

SEARCH FOR HIT-RUN DRIVER

From Thursday's Daily—Sheriff Joe Mraak and Deputy Sheriff Emery Duddy were out last night to check cars on highway No. 75 through this city and vicinity for a car reported to have been involved in an accident at Nebraska City. The car had struck another and left the scene of the accident without reporting to the officers. A check of the traffic, however failed to reveal the car being here.

AGED LADY CRITICALLY ILL

Mrs. Rozella Cole, 81, a long time resident of Weeping Water and vicinity, has been very gravely ill for some time, her condition giving but little hope of her recovery. Her son, Harry Cole, has just returned from a visit with the mother and finds little hope of her recovery. Mrs. Cole is a daughter of the late Mr. and Mrs. Moses Hiatt, pioneers of this part of the county, a sister of L. D. Hiatt, local furniture dealer.

VISITING IN KANSAS

From Friday's Daily—Mrs. R. B. Keller and daughter, Clauden left last evening for Wichita, Kansas, where they planned to spend a week as guests of relatives and friends.

POLICE COURT NOTES

William Shea was arraigned before Judge C. L. Graves Thursday on a charge of disturbing the peace and intoxication. The court assessed a fine of \$25 and costs on each of the counts.

IN OMAHA HOSPITAL

Mrs. Alice Seay is in the St. Joseph hospital.

NOTICE OF FINAL SETTLEMENT

In the County Court of Cass County, Nebraska. To all persons interested in the estate of Theodore Stark Johann, deceased, No. 3498:

Take notice that the Administrator of said estate has filed his final report and a petition for examination and allowance of his administration accounts, determination of heirship, assignment of residue of said estate and for his discharge; that said petition and report will be heard before said court on January 3, 1941, at ten o'clock a. m.

Dated December 9, 1940. A. H. DUXBURY, County Judge.

NOTICE

In the District Court of the County of Cass, Nebraska

The Prudential Insurance Company of America, a Corporation, Plaintiff vs. Cassius C. Conn, Executor, et al. Defendants.

To the defendants, Myrtle Lefler and husband Robert Lefler, Kermit Larson, and Wilmer Larson:

You and each of you are hereby notified that on the 14th day of October, 1940, plaintiff filed its petition in the District Court of Cass County, Nebraska, against you and each of you, the object, purpose and prayer of which is to foreclose a mortgage in favor of plaintiff on the following described premises, to-wit:

The north half (N¹/₂) of the southeast quarter (SE¹/₄) of Section thirty-two (32), and the northeast quarter (NE¹/₄) of the southwest quarter (SW¹/₄) of Section twenty (20), all in Township twelve (12), North, Range nine (9), East of the 6th P. M., in Cass county, Nebraska, containing in all 120 acres, according to Government Survey

which mortgage is recorded in Book 74, page 561 of the Mortgage Records of Cass County, Nebraska.

You are further notified that you are required to answer said petition on or before Monday the 20th day of January, 1941, or your default will be entered and a decree entered in accordance with the prayer of said petition.

All of which you will take due notice.

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, A Corporation.

By—Jos. H. Sauer, Harold M. Peyton and W. A. Robertson, Attorneys for Plaintiff.

soph hospital, Omaha, where she is taking treatment for a throat ailment. Mrs. Seay entered the hospital Monday and expects to be there the remainder of this week yet.

NOTICE OF ADMINISTRATION

In the County Court of Cass County, Nebraska. To all persons interested in the estate of Howard J. Richards, deceased, No. 3529:

Take notice that a petition has been filed praying for administration of said estate and appointment of Clifford Richards as Administrator; that said petition has been set for hearing before said court on the 27th day of December, 1940, at ten o'clock a. m.

Dated November 28, 1940. A. H. DUXBURY, County Judge.

NOTICE TO CREDITORS

In the County Court of Cass County, Nebraska.

To the creditors of the estate of Mia U. Gering, deceased, No. 3525: Take notice that the time limited for the filing and presentation of claims against said estate is April 7, 1941; that a hearing will be had at the County Court room in Plattsmouth on April 11, 1941, at ten o'clock a. m. for the purpose of examining, hearing, allowing and adjusting all claims or objections duly filed.

Dated December 6, 1940. A. H. DUXBURY, County Judge.

NOTICE TO CREDITORS

In the County Court of Cass County, Nebraska.

To the creditors of the estate of Henry W. Taylor, deceased, No. 3521: Take notice that the time limited for the filing and presentation of claims against said estate is April 7, 1941; that a hearing will be had at the County Court room in Plattsmouth on April 11, 1941, at ten o'clock a. m. for the purpose of examining, hearing, allowing and adjusting all claims or objections duly filed.

Dated December 6, 1940. A. H. DUXBURY, County Judge.

NOTICE TO CREDITORS

In the County Court of Cass County, Nebraska.

To the creditors of the estate of Edward C. Rummel, deceased, No. 3528: Take notice that the time limited for the filing and presentation of claims against said estate is April 7, 1941; that a hearing will be had at the County Court room in Plattsmouth on April 11, 1941, at ten o'clock a. m. for the purpose of examining, hearing, allowing and adjusting all claims or objections duly filed.

Dated December 6, 1940. 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 Mary A. Wehrlein, deceased, No. 3492:

Take notice that the Administrator of said estate has filed his final report and a petition for examination and allowance of his administration accounts, determination of heirship, assignment of residue of said estate and for his discharge; that said petition and report will be heard before said court on January 3, 1941, at ten o'clock a. m.

Dated December 6, 1940. A. H. DUXBURY, County Judge.

NOTICE OF PROBATE

In the County Court of Cass County, Nebraska.

To all persons interested in the estate of Richard N. Wright, deceased, No. 3532:

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 Clifton O. Wright as Executor thereof; that said petition has been set for hearing before said court on the 3rd day of January, 1941, at 10 o'clock a. m.

Dated this 7th day of December, 1940. A. H. DUXBURY, County Judge Cass County, Nebraska.

NOTICE OF PROBATE

In the County Court of Cass County, Nebraska.

To all persons interested in the estate of Teresa Hempel, deceased, No. 3530:

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 Minnie and Esther K. Hewitt as Executors thereof; that said petition has been set for hearing before said court on the 3rd day of January, 1941, at 10 o'clock a. m.

Dated this 2nd day of December, 1940. A. H. DUXBURY, County Judge Cass County, Nebraska.

ORDER TO SHOW CAUSE

In the District Court of the County of Cass, Nebraska.

In the Matter of the Application of Don H. Selver, Administrator of the Estate of John Nottelman, Deceased, for License to Sell Real Estate.

Now on this 20th day of November,

1940, it being one of the days of the Court, there was presented to the Court the petition of Don H. Selver, administrator of the estate of John Nottelman, deceased, for license to sell the following described real estate, to-wit:

Commencing at a point 4667.88 feet east of the Government Section corner common to Section 8, 9, 16 and 17, Township 11, North, Range 14, east of the 6th P. M., Cass County, Nebraska, using the quarter Government Section corner between Sections 8 and 9 as true north for this description, thence running north 9 degrees 31 minutes, west 2074 feet to a point on the division line of the Island, thence east along said division line 4887.70 feet to a point on the east bank of the Island and low bar, thence south 18 degrees west 409 feet to Traverse Station N, thence south 12 degrees 41 minutes west 3590 feet to Station O, thence south 29 degrees 49 minutes west 230 feet to Station P, thence south 29 degrees 39 minutes west 1115 feet to Station Q, thence south 37 degrees 24 minutes west 1600 feet to Station R, this point Station R is the south point of Nottelman Island, thence north 39 degrees 45 minutes west 148 feet to Station S, thence north 32 degrees 52 minutes west 222 feet to Station T, thence north 9 degrees 27 minutes west 230 feet to Station U, thence north 29 degrees 04 minutes west 1580 feet to Station V, thence north 30 degrees 24 minutes west 1660 feet to Station W, thence north 14 degrees 17 minutes west 545 feet to Station X, thence north 3 degrees west 300 feet to Station A, which point is the place of beginning; being the south half (S¹/₂) of Nottelman's Island in Sections 9 and 10, Township 11, North, Range 14, east of the 6th P. M., in Cass County, Nebraska, and containing 330.10 acres more or less of high and low bar as shown by the recorded plat of Nottelman's Island in Plat Book No. 2, page 19, in the office of the Register of Deeds of Cass County, Nebraska—

for the purpose of paying debts, and costs and expenses of administration of said estate, and it appearing that the total amount of personal property in the hands of said administrator is the sum of \$328.40; that claims allowed against said estate amount to \$855.78, and that there is not sufficient personal property in the hands of said administrator to pay the debts against said estate and the costs and expenses of administration, and that an order should be entered directing all persons interested in said estate to appear and show cause why a license should not be granted to said administrator to sell all of said real estate.

It is therefore Ordered and Adjudged that all persons interested in the estate of John Nottelman, deceased, appear before the undersigned W. W. Wilson, Judge of the District Court within and for Cass County, Nebraska, on the 23rd day of December, 1940, at 10 o'clock a. m., at Chambers in the Court House in the City of Plattsmouth, Cass County, Nebraska, to show cause, if any there be, why a license should not be granted to Don H. Selver, administrator of the estate of John Nottelman, deceased, to sell the following described real estate, to-wit:

Commencing at a point 4667.88 feet east of the Government Section corner common to Section 8, 9, 16 and 17, Township 11, North, Range 14, east of the 6th P. M., Cass County, Nebraska, using the quarter Government Section corner between Sections 8 and 9 as true north for this description, thence running north 9 degrees 31 minutes, west 2074 feet to a point on the division line of the Island, thence east along said division line 4887.70 feet to a point on the east bank of the Island and low bar, thence south 18 degrees west 409 feet to Traverse Station N, thence south 12 degrees 41 minutes west 3590 feet to Station O, thence south 29 degrees 49 minutes west 230 feet to Station P, thence south 29 degrees 39 minutes west 1115 feet to Station Q, thence south 37 degrees 24 minutes west 1600 feet to Station R, this point Station R is the south point of Nottelman Island, thence north 39 degrees 45 minutes west 148 feet to Station S, thence north 32 degrees 52 minutes west 222 feet to Station T, thence north 9 degrees 27 minutes west 230 feet to Station U, thence north 29 degrees 04 minutes west 1580 feet to Station V, thence north 30 degrees 24 minutes west 1660 feet to Station W, thence north 14 degrees 17 minutes west 545 feet to Station X, thence north 3 degrees west 300 feet to Station A, which point is the place of beginning; being the south half (S¹/₂) of Nottelman's Island in Sections 9 and 10, Township 11, North, Range 14, east of the 6th P. M., in Cass County, Nebraska, and containing 330.10 acres more or less of high and low bar as shown by the recorded plat of Nottelman's Island in Plat Book No. 2, page 19, in the office of the Register of Deeds of Cass County, Nebraska—

for the purpose of paying debts and costs and expenses of administration against the estate of John Nottelman, deceased.

It is further ordered that a copy of this order to show cause be served upon all persons interested in said estate by publication of this order for three successive weeks in the Plattsmouth Journal, a legal newspaper printed and of general circulation in the County of Cass, Nebraska.

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

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