

**Cases** Now in birth certificates is one of the largest items in the office of the county Supreme Court judge. With strict government requirements for birth certificates from workers in all government and de-Briefs in Two Cases Appealed

Cass county, Nebraska, through its attorney, Walter H. Smith, today filed its answer brief in the Supreme court at Lincoln in the case of Consolidated Chemical Laboratories vs. The County of Cass. This case, decided by Judge Wilson in favor of Masonic Home Cass county, arises from the delivery of certain merchandise consisting of soap and disinfectants to former Sheriff Sylvester between Oct. 30, 1936 and April 29, 1937 in the alleged sum of \$502.64. No claim was filed until January 18, 1938 and the board of county commissioners disallowed the claim whereupon an appeal was taken and from the dismissal of the petition by Judge Wilson, the Consolidated Laboratories have appealed to the Supreme court.

From This County

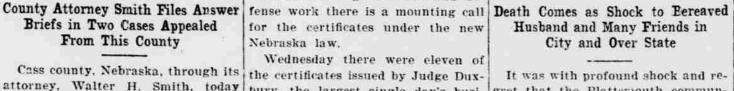
FORDEFENSE

VOL. NO. LVII

BUY UNITED STATES

Cass County

In its brief, Cass county, Nebraska, contends that in the interest of good and efficient government, as defined by the Legislature, and in accord with the contract into which Sec. 26-119 is automatically incorporated, the appelant's lack of ordinary diligence in filing its claim with the board in the time prescribed by law has deprived it of an opportunity to be heard on the merits. The constitutionality of this section of the law is attacked by appellant's in its brief and the brief of the county is principally directed to this attack in upholding its constitutionality. This case has been set for hearing on February 5, 1942, in the



It was with profound shock and rebury, the largest single day's business so far. The office has issued a total of 470 of these certificates.

# **Board Meeting**

Fine Condition of Home Business Shown and Officers All Re-Elected for Coming Year

The board of directors of the Nebraska Masonic Home association met Friday at the Masonic Temple at Omaha to hear the annual report of the officers and of the conduct of the Masonic Home in this city. The report of Superintendent W

F. Evers was very complete to every detail of the home management, the residents, cost of operation and the many other factors that enter into the operation of a large institution of this type.

The officers selected the following. all re-named President-William A. Robertson.

Plattsmouth; 1st vice-president, A. C. Thomsen, Omaha; 2nd vice-president, James H. Adams, Omaha; 3rd Journal vice-president, Charles Nicodemus,

Fremont; secretary, Lewis E. Smith,

**Rest Last Evening** charge.

Husband and Many Friends in City and Over State

gret that the Plattsmouth community this morning learned of the passing of Mrs. Margaret McClusky, 60. wife of Dr. H. G. McClusky, pastor

of the First Presbyterian church. Ill for the past 10 days, she was taken to Omaha the first of the week and placed in the Methodist hospital for treatment and Thursday had Held in Omaha been reported as showing some gains, that greatly encouraged the husband who had spent the day at the hos-

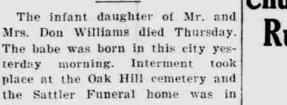
pital. The sudden change came on the heart that brought instant death. Mrs. McClusky was a loved and honored figure in Plattsmouth and

in the religious circles of eastern Nebraska, where her ability and leadership has been so often felt. She was especially active in the various women's groups of the Presbyterian church. Mrs. McClusky was also an active figure in Chapter F. P. E. O. and the Plattsmouth Woman's club.

of the hundreds of friends in this ity Dr. McClusky has brought comfort to many in their grief, may he

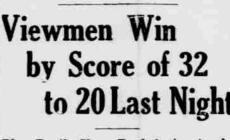
too receive this blessed consolation at this time of stress. A sketch of the life of Mrs. Mc-Clusky will appear later in the

GARAGE ROBBED



In addition to its parents, the baby is survived by a sister, Mary Jo, and a brother, Donald Joe, jr.; maternal grandparents, Mr. and Mrs.

Joseph Solomon of Plattsmouth. Mrs. Williams was the former Martha Solomon.



Blue Devils Show Real Action in the Opening Quarter But Weaken In the Last

College View, a suburb of Lincoln handed the local boys their seventh loss of the season at the local court before a sparce crowd. It was one of the wildest games ever played on the local court, the shots were bad on both sides. College View applied a good zone defense that put To Dr. McClusky in his bereave- the curb on Ralph Hilt's scoring. ment goes out the deepest sympathy The tall, rangy boy dropped in but one fielder and some of his shots hour of trial and separation. In his failed to hit the basket. Stern, who 26 years of service in this commun. played his last game for the Viewmen, hit from any place.

The freshmen walked off victorious in the preliminary by a score of 31 to 20 as Cole dumped in 16 counters. The game started out like it did week ago and at the half the Blue Devils had to be contented with a

13-13 tie but through the next half all the Plattsmouth team could drop in was seven points and only one in the third quarter. Plattsmouth The Bauer Garage on Vine street put on a brief rally in the fourth was robbed last night or early this but could not put the brakes on morning with the parties taking Henson, who kept dropping them in. The box score of the game:

**Rural Life Meet** This morning in the county court Ellis Phillips was present to change and Conference his plea of "not guilty" to the charges of grand larceny and breakag and entering to "guilty." The young man was accordingly Will Be Held at Several Places in the bound over to the district court and Diocese of Lincoln-Church will probably be arraigned the com-Leader to Speak

ing week, Judge Wilson has notified The trend toward tenancy, comthe clerk of the district court tomercialized farming and large con- day that he will be here on Thurscentrated land holdings in American day and Friday, January 29 and 30.

agriculture is now regarded everywhere as one of the major problems cenfronting both church and state. To stimulate an intelligent study of this vital question, the Catholic Diocese of Lincoln, under the auspices of the National Catholic Rural Life Conference, will sponsor a Farmers' to 20 Last Night Conference, will sponsor a Farmers' Institute which will be addressed by

> Creston Van Horn, 61, passed away after a long period of failing health. Dr. R. W. Tyson Lincoln: Tuesday, January 27, Tie- the past two years being a partial G. E. Brubacher hen Gymnasium, Falls City; Wednes- invalid.

day. January 28, St. Angela's hall, Mr. Van Horn was born April 1, York; Thursday, January 29, St. 1880 at Creston, Iowa, son of Henry Cecilia's school auditorium, Hastings; Friday, January 30, St. Catherine's moving to Cass county where they Bert Jameson hall, Indianola. resided until their death. The father In his Pentecost address last year, passed away in 1931 and the mother

His Holiness, Pope Pius XII, referred in 1905, both living here at the William Sporer to the farm home as a "vital space." time. On that occasion, the Holy Father de-

clared: "Of all the goods that can 1905, after the death of the mother. none is more conformable to nature second time January 29, 1913, to Philip Keil, jr. \_\_\_\_ than the land, the holding in which Cecelia Peterson at Omaha. the family lives, and from the pro-

ducts of which it draws all or part Van Horn the widow and one brothof its subsistence." er, Albert of Granville, Idaho.

**Murray Reaches** Quota in Red **Cross Drive** 

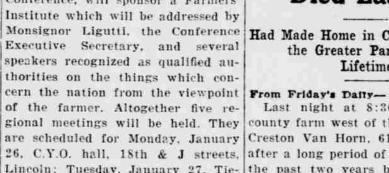
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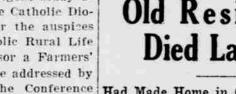
NO. 104

Total Now Two Dollars Over Requested Sum; Committee Still Receiving Contributions

Murray residents, and those in the community, have responded to the Red Cross War relief in spendid manner, raising the quota set for them and raising \$150. Not satisfied with the showing the members of the chapter are carrying on the work and contributions can be made to Willard Nelson, Dale Wohlfarth or Died Last Night Charles H. Boedeker. The report of the contributions follows: Murray State Bank \_\_\_\_\_\$ 10.00 5.00 Geo. E. Nickles 5.00

E. S. Tutt 5 00 Rev. Neil Stewart 1.00 Henry Kircher 2.00 J. A. Davis 1.00 Last night at 8:30 at the Cass A. L. Carper \_\_\_\_\_ 5.00 ounty farm west of the city, George Charles H. Boedeker 5.00Ben J. Noell \_\_\_\_\_ 5.00John J. Stones 1.00 5.00 5.00 Frank Mrasek 2.00 C. M. Read 5.00 Parr Young 5.00 Vearl G. Smith 1.00 C. and Dora Van Horn, they later W. G. Boedeker 10.00 2.00 Irma Dvorak 1.00 Chester Stone 1.00 Mr. and Mrs. W. L. Seybolt 2:00 1.00 Curtis Faris \_ 2.00 Mr. Van Horn was married in 1.00 F. T. Wilson Willard Nelson 1.00 Mr. and Mrs. Ed Gansemer. 2.00 be the object of private property, to Ethel Bates and was married the Mr. and Mrs. J. L. Young, sr 5.00 2.00 Harold Jacobs 3.00 Robert Weston, Mgr. Robinson There survives the death of Mr. Elevator Co. 5.00 Elbert Keil \_\_\_\_\_ 1.00 F. J. Hild \_\_\_\_\_ 5.00





Had Made Home in Cass County for C. D. Spangler the Greater Part of His Lifetime

Geo. Van Horn, Old Resident,

Network Eisterical Society

Omaha. Supreme court at Lincoln.

On November 25, 1941, County Attorney Walter H. Smith filed the of directors, the officers of the grand answer brief of Cass County in the lodge of the Nebraska Masons entersupreme court in the case entitled tained the members of the board King vs. Cass county. This is an ap- of the Nebraska Masonic Home as county by Judge Wilson in which tendent of the I. O. O. F. Home at the plaintiff claims damages for an York, Nebraska. alleged widening of a road by Cass county, Nebraska in 1939.

that the road in question was legal- both orders have maintained for a ly established as a public road in great many years. 1880 to a width of 66 feet and one failing to make a claim for property taken in the establishment of a road is barred from claiming damages by a lapse of 59 years during which he scrap metal of all kinds, the resi-

and his predecessors have acquiesced dents of Cass county are bringing in in the existence of such road. This their old license plates to the office case will be heard in March by the of County Treasurer John E. Turnsupreme court at Lincoln.

PIONEER VISITS CITY

H. P. Gaebel of near Louisville, was one of the donors of a large

STATEMENT INCORRECT

where he made his residence.

authorities.

Frank H. Stander and daughter, number of plates, bringing in 104 of Miss Lillian, of Omaha, were in the the old plates, dating back to 1916. city Wednesday for a few hours to before county numbers were placed look after some business matters and on them, the plates being numbered while here Mr. Stander was a caller from 1 on up for the entire state. at the Journal to renew his sub- All the plates had been purchased and Oak streets. A large group of scription to the semi-weekly, he hav- and used by Mr. Gaebel himself. ing been a reader of the Journal George Vogler, also of the Louisville community brought in 100 of for more than 40 years.

Mr. Stander comes of one of the the plates to be turned in for scrap pioneer families that settled in the metal. Louisville community in the late

fifties and had a large part in developing that section of the county. Mr. Stander informs us that \$2 years ago he arrived in Plattsmouth, an in an article concerning the inducinfant in the arms of his mother, tion of William Floyd Shanholtz, his parents, Mr. and Mrs. Peter the statement was made, "He was ered wagon drawn by three yoke by the United States government at of oxen, making the crossing of the Washington, D. C., but he was forced to return and report to his local Missouri river at this city.

Mr. Stander was for years a very draft board in Plattsmouth." successful farmer in Cass county and This is not true as no one is is now retired, but has extensive in- "forced" to return to the place where terests in the county and is an offi- he claims his residence in order to Manley.

### STATE AUDITOR HERE

## From Thursday's Daily-

State Auditor Ray Johnson of Lincoln, was in the city today for a few hours to attend to some business matters and also to enjoy a visit known here through many political Omaha, are now located on the farm braska, was the installing officer, be- From Saturday's Dany-

#### AN APPRECIATION

Ray Herold and family.

Following the session of the board From Saturday's Dallythree tires and also some \$14 in peal from a finding in favor of Cass well as the president and superinregister at the garage.

The loss was discovered this morn-The meeting was one for the in ing when the building was opened for terchange of ideas on the operation the day's business and the office of Hilt c In its brief, Cass county contends of the institutions for the aged that the sheriff was notified of the loss. Rice g

BRING IN MANY OLD PLATES

left unlocked or opened to allow Heeding the call of the nation for the party or parties to make their entrance to the main part of the building. Exit was made through the door at the front of the building. Two tires taken were 616 Bison er, for turning over to the proper tires and one 650 Dunlap tire.

garage building had apparently been

FUNERAL OF JAMES A. SCHWAB Fisher g -----The funeral services of James A.

Schwab, long-time resident of this community was held Friday afternoon at the Bigsby chapel at 7th the old friends and neighbors from

Rev G. W. Gardner of the Elm- court house today. Miss Hazel Edna wood Christian church, conducted the Kline and Joe Mrasek were married services and gave one of the old and at the court house on January 25.

Gardner being the accompanist.

In the Journal several days ago tivities. The pall-bearers were My- pleasant anniversary. Stander, driving through in a cov- formerly a stenographer, employed ron Wiles, S. S. Davis, Reuel Sack, Fred Campbell, H. A. Schneider, Ray F. Becker.

## INSTALL AT PAWNEE

Friday evening Mr. and Mrs. Raymond C. Cook and Mr. and Mrs. Edcer of the Manley State bank at be inducted. By notifying the board ward Wehrbein of this city were at of his location, he may be inducted Pawnee City, attending the installation of the officers of Pawnee lodge by the board in the place that he may be located at the time, and not No. 23, the ceremony being open to

have to return to the community the public. There were representatives from eight of the lodges in that section of the state to enjoy the impressive RETIRES FROM SERVICE

ceremony. Mr. and Mrs. Fred H. Rezner, who Mr. Cook, who is the deputy grand with old friends. Mr. Johnson is well for many years made their home in custodian of the grand lodge of Ne-

contacts made in the past few years. formerly occupied by Mr. and Mrs. ing assisted by Henry Carson, Ne-J. H. Tams, parents of Mrs. Rezner. braska City, grand tyler of Nebraska, selectees under the last call, depart-

years the general foreman for the Pawnee lodge as the chaplain. We wish to thank all our friends Burlington at Omcha, retiring from Following the installation a fine Dreamer of Elmwood and Kenneth was engaged with the Glenn L. to a position at Fort Crook. Mr. the county assessors from Nebraska. for the nice cards, flowers and pay- that position on December 1, and banquet was served to the members R. Wessell, of Nehawka, were the Martin company at their plant in Glaze has been for some time engaged At the meeting the assessors decided ing visits at the hospital, where Mr. has since been arranging to locate of the lodge and their friends that two to respond to the call. Herold was treated .-- Mr. and Mrs. here where they will make their came as the climax of a very delighthome. ful and inspiring evening.

## Plattsmouth

Bratt f

Noble f

FG FT PF TP Larson f \_\_\_\_\_ \_\_\_\_\_ It was found by Sheriff Mrasek Gayer f ----and Deputy Sheriff Doody that one Dooley g Slatinsky g 0 idea of a homestead of one's own," of the windows at the rear of the Johnson g ..... 0 5 10 13

College View FG FT PF

Henson f Helmsing f -----Westbrook f Porter f \_\_\_\_\_ Mauhier c \_\_\_\_ Miller c Stern, g \_\_\_\_\_ Richardson g \_\_\_\_\_ 1 0

SHERIFF HAS ANNIVERSARY

From Saturday's Dally-Today was the thirty-fifth wedhis home were here for the services. Joe Mrasek, we were informed at the

The sheriff observed the day by

there last night and escaped only ment. No one has been named to suc-

to be recaptured. RECEIVES SIXTY DAYS

From Friday's Dafly-Charles Clark was arraigned in the county court this morning on complaint of his wife, Mrs. Pauline Clark. The young man was arrested by Deputy Sheriff Doody and following the testimony in the court was given a sentence of 60 days in jail by Judge Duxbury.

## DEPARTS FOR SERVICE

## Today two Cass county young men.

### Subscribe to The Journal

"And only the stability which is rooted in one's own holding makes LOCATED AT SHEPPARD FIELD of the family the vital and most perfect and fecund cell of society, SHEPPARD FIELD, Tex. Jan. 23 joining up, in a brilliant manner, in -Beginning the first lap of a course

its progressive cohesion, the pres- that eventually will give him a ratent and future generations." ing as an aviation mechanic, Pvt. "If today the concept and the cre- Bernard A. Jackson, of Plattsmouth, ation of vital spaces is at the center today is enrolled in the mechanics o of social and political aims, should school at Sheppard Field, Texas, the

5 not one, before all else, think of world's largest Air Corps Technical the vital space of the family and free Training School. it of the fetters of conditions which Private Jackson, attached to the do not permit even to formulate the 312th School Squadron, began class

work Jan. 1, and is scheduled to The material basis of family cul- graduate in May. The son of Mr. and 20 ture is ownership. It must, therefore, Mrs. Clyde Jackson, 5th street, he be the aim of human society to give attended Plattsmouth high school.

TP its support to all measures, legisla- At present, Private Jackson is in tive and otherwise, which seek to the third week of school and is study-

promote the family-type farm. Our ing structures. Before he qualifies as tenancy system is probably the one of the eight specialists necessary Mr. and Mrs. Joseph Kvapil, left worst among civilized nations. It has to keep one plane in the sky, Private Sunday afternoon for the central 0 developed a policy of commercialized Jackson will have undergone inten- part of Nebraska. Frank, as he is 12 farming that is destructive of fam- sive training designed to give him a better known to his friends, has acily life and home culture. Now that complete working knowledge of the cepted a teaching position in Custer our county is engaged in the most battle birds.

14 4 14 32 stupendous program of all history for the defense of basis human rights and fundamental freedoms, it is a patriotic duty to stem the tide of

community.

Dwight Edwards and W. A. Robertson were named as the majors for posted on the activities and news The body was laid to the last home in this section of Cass county. of 11 months, has tendered his resig- the dawn to dusk drive and empow- of Plattsmouth as the Semi-Weekly rest in the Lewiston cemetery, near Their many friends will join in ex- nation and is to report for work as ered to name the captains of the Journal is being sent to him.

> Dr. Leonard Fitch was named as bion, Nebraska, Monday. A Weep- the soliciation chairman George going to Weeping Water after two ing Water resident, Conant's new Dobson, arrangements chairman and prisoners that had been arrested position is a Civil Service appoint- Andrew Robinson as the publicity employe of the Journal for the past chairman.

## PROCEEDS FROM FLOUR SALE GOES TO RED CROSS

In the office of the clerk of the district court today an action for di- Consumers Public Power Company, He was one of a class of 200 and vorce has been filed by Mary Fen- has been the recipient of a sack of was selected to take the tests for wick against Robert H. Fenwick. flour. Wanting to do his bit for the the position that he is now entering The petition sets forth that the American Red Cross War Relief upon. parties were married at Lexington, Fund, he donated the flour to the Mr. Yelick will commute between Missouri, February 14, 1939. The de- organization and it was disposed of this city and the place of employment fendant is a non-resident of Nebras- in a fitting manner. The proceeds as he only a short time ago completka. J. Howard Davis appears as the netted the Red Cross \$5.80. attorney for the plantiff.

# ENGAGED AT FORT CROOK

Edgar Glaze of this city, sometime

Albert H. Bornemeier, formerly a ago took a civil service examination Mr. Rezner was for a great many as the marshal, and R. L. Becker of ed for Fort Leavenworth, Kansas, resident of Wabash, has returned for chauffeur and has been notified Puls was at Lincoln yesterday and for induction into the army. Ralph from Baltimore, Maryland, where he that he was successful and assigned attended a special-called meeting of that city. Mr. Bornemeier is prepar- as guard on one of the local railroad to hold the 1942 County Assessors ing to take up his work at the Fort bridges but will take up the work at Association meeting February 5 and Crook plant of the Martin company. the fort.

Arthur Hild	2.00
M. H. Worthan	1.00
Dale Wohlfarth	1.00
J. J. Gleason	2.00
Wilbur Lang	1.00
Dr. and Mrs. G. H. Gilmore	5.00
John Sans	2.00
Mr. and Mrs. O. A. Davis	2.00
Mrs. Margaret Brendel	1.00
Rev. H. B. Hutchman	1.00
Esther Rhoden	1.00
Mr. and Mrs. Everett	
Spangler	10.00
Mrs. J. H. Faris	1.00
Mrs. A. D. Asch	5.00
Mr. and Mrs. Glen Bethel	2.00
Mr. and Mrs. Herman Wohl-	
farth	1.00
Emma Reine Topliff	2.00
	170.00

OTAL \_\_\_\_\_\$152.00 ACCEPTS TEACHING POSITION

Francis Kvapil, youngest son of county and he began his duties Mon-

day morning. The young man was graduated from the Plattsmouth High School In preparation for the annual Boy in 1941 and during his school year servile farming and restore the coun- Scout drive and the 32nd anniversary he majored in Normal Training. He tryside home to its proper place as of the establishment of the organiza- succeessfully passed the state exthe community where he had made ding anniversary of Sheriff and Mrs. a native habitat of the human family. tion, the local Scout committee met aminations and, therefore, was elion Thursday night at the office of gible to teach. In his letters Frank W. A. Robertson to plan for the drive stated that he is well pleased with to raise funds for Scouting in this his position and likes that part of Nebraska.

Hereafter Frank will be well

## ENTERS BOMBING PLANT

Floyd A. Yelick, who has been an nine years, this morning started his work as an employe of the Glenn L. Martin assembly plant force.

Mr. Yelick has an exceptional talent for machine work that makes John Bishop, an employee of the him well suited for this line of work.

> ed the remodeling of his home on high school hill.

## AT LINCOLN THURSDAY

Cass County Assessor William H. 6 at a Lincoln hotel.

ceed him. ASKS FOR DIVORCE

**RESIGNS AS STENOGRAPHER** Conant Wiles, who has served as loved hymns during the service, Mrs. 1907, by Judge J. E. Douglass and one of the stenographers in the Cass since that time have made their County Assistance office for a period

the scenes of Mr. Schwab's life ac- tending their congratulations on the clerk-stenographer in the office of various teams.

the Soil Conservation Service at Al-

**RETURNS TO NEERASKA** 

NAME DRIVE COMMITTEE