

The Alliance Herald

Official Paper of the City of Alliance

TWICE A WEEK—TUESDAY AND FRIDAY

Official Paper of the City of Alliance

VOLUME XXVIII

(Twelve Pages)

ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, FRIDAY, JUNE 10, 1921

NO. 56

C. B. & Q. FIREMAN MEETS DEATH IN RAIL ACCIDENT

DENVER PASSENGER PLUNGES INTO PLATTE RIVER

Body of Fireman Elmer C. Snedeker Is Still Missing—No Other Fatalities

Elmer C. Snedeker of Sterling, fireman on passenger train No. 303, running between Alliance and Denver, is believed to have lost his life when the engine and first baggage car plunged into the Platte river about 2:30 Tuesday afternoon near Union, Colo. For several days parties have been searching, but this morning the body has not been recovered, and it is thought that it may be entangled in vegetation along the banks or on the bottom of the stream, or in the cab of the locomotive.

The accident was due to the bridge giving away beneath the engine after being weakened by the high water. The engine plunged into the stream and was completely submerged. The first baggage car remained with the front end under the water, being prevented from following the engine into the water by the safety chains.

Engineer George Fouts of Denver and Fireman Snedeker were on the engine when it plunged into the river. The engineer leaped into the river as the engine struck the water and at last succeeded in reaching the banks of the stream after struggling for some minutes in the water.

The cries of Fireman Snedeker were heard from the middle of the river a short time after the accident occurred. It was believed that he was floating downstream on a log. Engineer Fouts was the last man to see him.

The baggageman in the first car was rescued with difficulty by the crew as the coach balanced on the edge of the stream. Two passengers in the rear coach reported slight injuries, and several others suffered from minor bruises and the nervous shock.

Due to fear that the rush of the waters and the weight of the engine would drag the rest of the train into the river, the members of the crew hammered at the safety chains until they snapped, and the baggage car was drawn into the water with the locomotive.

Union Pacific train No. 11, detoured over the Burlington, had passed over the trestle only half an hour before the accident occurred, but the pilings of the structure had been weakened by the pounding of the swollen waters and gave way under the weight of the locomotive when the Burlington train followed.

Fireman Snedeker leaves a wife and three children in Sterling. A cousin, Al Snedeker, is publisher of the Holyoke, Colo., Enterprise.

A sister of Snedeker's—Mrs. John Overman, lives in Alliance. Accompanied by her husband, she left Wednesday for the scene of the wreck. Alliance relatives believed that the body would be found in the engine cab when the locomotive is taken from the river. The missing man is the son of Mr. and Mrs. Clark Snedeker, former Alliance residents.

Trains between Dence and Alliance have been detoured by way of Sidney and Cheyenne since the bridge went out, making them several hours late. Four spans, a total of two hundred and forty feet are missing from the bridge, which his 668 feet long. The passengers on the wrecked train were brought back to Sidney and sent to Dence via the Cheyenne route.

A wrecker and trainload of materials were rushed from McCook by the Burlington to the scene of the wreck.

Plans Arranged for Sunday School Parade On Children's Day

The following arrangements for the Sunday School Children's Day Parade to be held next Sunday morning, have been announced:

Each school will convene at their respective church at 9 a. m. About ten minutes will be given to preliminaries. Leaving the church at 9:10, marching to the Court House block on Box Butte, arriving there at 9:15, where all schools will be under the direction of Prof. Prince for the general march. All enter the line at Newberry's corner. The march will be west to 4th and Laramie, south on Laramie to First street, east on First to Box Butte, north to Tenth on Box Butte, back to the Court House at 10 o'clock.

Judge Tash will deliver an address to the hundreds assembled on the south side of the Court House. The meeting will dismiss in time for the programs and services at the churches at the 11:00 o'clock hour.

Mrs. Ross Shuey and baby of Sterling, Colo., was a guest of the G. L. Griggs home a few days this week. She left Wednesday evening for her new home at Effingham, Ill.

Ora Phillips of Hemingford was in Alliance Wednesday on a business trip.

WHO PAYS THE BILL?

Did you know that intelligent and judicious advertising doesn't cost the man who pays the bill a cent? Well, then, who DOES pay for the advertising if the merchant himself doesn't?

The unwise patron of the store that is NOT advertised are the persons who pay for advertising.

By advertising, a merchant increases his turnovers and sells four or five times as much merchandise as he would if he did not advertise. The real cost of selling that merchandise is reduced with each turnover. Thus, the amount he invested in advertising comes back to him and he is enabled to do business on a closer margin of profit on each turn-over than the merchant who doesn't use advertising to increase the volume of his business.

So, after all, the merchant who advertises doesn't pay for his advertisements, neither does his customers. It's the patrons of the UNADVERTISED store who pay for them.

COUNTY WOULD INCREASE TAXES OF BURLINGTON

WANT TO INCLUDE STOCKYARDS IN ASSESSMENT

Same Point Came Up Several Years Ago and Was Carried to the State Supreme Court

History is repeating itself. The Box Butte county commissioners are endeavoring to secure the privilege of assessing in valuing for the county tax rolls a matter of a hundred and sixty acres or so that is now assessed by the state. The commissioners have taken the problem up to the state authorities and State Tax Commissioner W. H. Osborne of Lincoln spent Thursday in Alliance, going over the situation and making a personal inspection of the property in dispute.

The Burlington owns some hundred and sixty acres of land, consisting of its right of way and land adjacent thereto. The portion of this land that lies in the city of Alliance is assessed by the city authorities and pays the city levy, but that lying just outside the city limits, in Lake precinct, was not returned by the railroad in making out its assessment schedule.

The reason for not making a return on this property is that it is classed as right-of-way and depot grounds by the railway officials. Right-of-way and depot grounds are assessed by the state board on a basis of a unit value per mile, figured out by the state railway commission.

The county commissioners point out that the land in question contains the stockyards, the machine shops, the land on which the "little Mexico" colony is located, as well as containing other property of considerable value. County Assessor Pilkington discovered over five hundred tons of hay in storage on this land, as well as surplus equipment of considerable value. The commissioners and the state tax commissioner will endeavor to secure a ruling from the attorney general that will permit Box Butte county assessing some portion of this property. The unit rate, under which it is now assessed, is fairly high, but if the county is permitted to assess a portion of this, it will raise the revenues somewhat.

Several years ago, the Box Butte county commissioners were confronted with the same situation, and concluded that it was worth making a fight over. The case was carried to the state supreme court, which in 1916 handed down a decision favorable to the Burlington. Since that time there has been no question raised and the railroad has been allowed to turn in its property as it pleased, but this year the county officials have decided that they will attempt to collect a tax on at least a portion of this equipment and land, provided the state authorities give them sufficient encouragement. Tax Commissioner Osborne left today for Bridgeport and Bayard, where he will assist in assessing the sugar factories.

Jine Clearance Sale of the Fashion Shop Starts Saturday A. M.

Beginning promptly at 9 a. m., Saturday, the Fashion Shop starts the ball rolling on their June clearance sale. The entire line of spring garments is included in the offering, the reductions ranging from one-half to one-third off former prices. There is a big selection of coats, suits, dresses, skirts, blouses and summer wear, and the prices are in many instances at cost or less than cost. This offering will attract a large number of discriminating purchasers. — Advertisement.

There would be a lot more busy individuals if every man lived up to his own specifications.

CITY EXPENSES FOR NEXT YEAR ARE ESTIMATED

CITY MANAGER URGES POLICY OF STRICT ECONOMY.

Technical Defect Invalidates Water Bond Issue, But Work to Go On.

The city council, at its regular meeting Thursday night at the city hall, adopted an estimate of expenses for the fiscal year 1921-22, as presented by City Manager Kemmish. The total amount of money required to run the city during the twelve months is estimated at \$15,815, as compared with \$15,200 last year and \$15,000 two years ago. This year's estimate, however, is actually considerably less for actual operating expenses, the total being larger due to the fact that the cost of the city hall paving assessment is included this year.

The estimate of expenses, as compared with last year, shows a number of reductions. The cost of maintaining streets and alleys is estimated at \$4,000, as compared with \$5,000 last year; officers' salaries, will require more money, \$4,720 as compared with \$3,000 last year; stationery and printing \$1,500, as compared with \$1,200 last year; cemetery maintenance, \$1,000, last year no appropriation; garbage disposal, \$1,000, the same as last year; health, \$1,000, no appropriation last year; city hall paving assessment \$1,595, no appropriation last year; miscellaneous, \$1,000, as compared with \$5,000 last year.

City Manager Kemmish prepared a series of tabulations for the city council, showing, among other things, the estimate of the revenue from taxation. The total valuation of city property from figures furnished by the county assessor is \$4,682,592. Mr. Kemmish deducts from this amount the uncollectable 8 per cent, something that has not been done in previous years, as well as the 2 1/2 per cent collection fee for the county treasurer, which leaves a balance of \$4,200,000 upon which tax revenues may be expected. A mill levy should bring in \$4,200, according to these figures. The city's tax levy will be 6.8 mills for general expenses, and 6.05 mills will be required to establish the proper sinking funds and take care of the interest charges on the city's bonded indebtedness. The total mill levy will be 12.85. This year, the taxes are based on actual valuation instead of the one-fifth system, and this means that the levy, on the old basis, would be 64.25 mills, as compared with 54 last year. The increase in city taxes is 19 per cent.

City Manager Kemmish has issued the following statement concerning the expenses for the coming fiscal year:

"In making up our levies for the coming year we have endeavored to economize as far as possible and still arrange to handle our bonded indebtedness in a business like way. In our appropriation this year for the general fund we have taken into consideration a part of the city manager's salary and the item of paving assessments for the city hall and post office. As no provision has been made for handling this paving in any other manner this burden is now added to the general fund for the next nine years. Last year's assessment not having been provided for makes a double burden this year. The sewer maintenance fund has been used as a transfer fund (Continued on Page 12)

Five Members of the St. Matthews' Vestry Ask Dixon to Resign

Five members of the vestry of St. Matthews' Episcopal church, in a resolution adopted one evening this week, have formally asked for the resignation of Dean J. J. Dixon as rector of this parish. The resolution states that the signers "believe that it is for the best interests of this parish, and request that the resignation be made effective June 30. Announcement is made that the matter will be formally presented at the June meeting of the vestry, to be held Monday evening. The signatures appended are those of A. V. Gavin, L. H. Highland, Ruth T. Reddish, Mrs. L. L. Smith and F. A. Hively. There are ten members in the vestry, of which Dean Dixon is one.

Dean Dixon, who reported the matter to The Herald, states that according to the law of the Episcopal church, a rector cannot be forced to resign against his will. Charges may be preferred under the laws for the following offenses: Crime or immorality after conviction in the civil courts; conduct unbecoming a clergyman after being proved and passed on by a three-fourths of the standing committee of the district. Alliance is in the western Nebraska district and includes such cities as Hastings, Kearney and Grand Island.

Dean Dixon is at present the commander of Alliance post No. 7, American Legion, and has a wide circle of friends inside and out of church circles who will follow developments with interest.

ONE MUST BE DOWN AND OUT TO BE DRUNK

MERE STAGGERING HELD NOT TO BE EVIDENCE.

Jury Advised That There Must be Complete Loss of Mental and Physical Faculties.

He is not drunk who falls to the floor, But is able to rise and drink some more. But he is drunk who prostrate lies And is neither able to drink nor rise. —Old Song.

The old song expresses the idea, though not in the same words, that is contemplated by one supreme court decision in Nebraska which deals with the extent of liquoring up that is required to prove intoxication. This same decision, incidentally, was responsible for the instruction given to the jury in two cases in district court this week, which resulted in a verdict of acquittal for John Walker and Burton Brown, both of Hemingford, who were found guilty on an intoxication charge in county court some weeks ago, and promptly appealed to the district court for redress.

The two Hemingford men were arrested at a dance in Berea by Sheriff Miller, Deputy Thomas Miskimen and Chief of Police Charles Jeffers of Alliance. The officers were called to the dance hall by the manager of the place. Three men were arrested, William Walker, who pleaded guilty to an intoxication charge in county court and paid a fine, and Brown and Walker.

A big delegation from Hemingford was present for the trial, a number of women being among the audience. Some eighteen witnesses were summoned to give evidence in the two cases. The three officers, for the state, testified that Walker was out in a car near the dance hall, caring for his brother, who was under the weather, and that he staggered perceptibly when they assisted him to the sheriff's automobile. Walker's explanation of the staggering was that the officers handled him roughly, and that if he staggered it was because he was being jerked around.

In the case of Burton Brown, the state produced two additional witnesses, Arthur Jones, floor manager at the dance, who testified that Brown was talking loud and otherwise disturbing the peaceful serenity of the occasion. Walter Searles, assistant floor manager, testified that he had told Brown that he had better get the Walker boys away. Brown's reply, he said, was that everything would be all right, as he had his bottle. Brown admitted having had one drink, but declared that was the limit of his libations.

The officers' testimony was to the effect that the two men did not appear to know what they were doing or saying, that their breath was alcoholic. Mitchell and Gantz, for the defendants, introduced a large number of witnesses, who testified that they had seen the men at the dance prior to the arrival of the officers, and that they had not made themselves conspicuous by their actions or by talking loud, and that they did not act like drunken men in any sense of the word. Two or three women testified that they had danced with the defendants, and that they had not smelled liquor upon their breath.

There was a spirited argument by the attorneys for the state and the defense. County Attorney Basye argued that any departure from the normal, however slight the degree, constitute intoxication within the meaning of the law. The attorneys for the defense quoted a decision in a similar case carried to the supreme court, and this decision, in effect, was embodied in Judge W. H. Westover's instructions to the jury. The jurors were advised that in order to convict the two men of intoxication, the evidence must show beyond a reasonable doubt that the defendants were mentally and physically incapacitated by reason of the liquor they had consumed. The jury brought in a verdict of acquittal in each case. The two cases were tried Tuesday and Wednesday.

No Booze Convictions.

There were five booze cases on the criminal docket for the term, and the state was out of luck in every single one of them. One case, the State of Nebraska vs. Kermit Wolfe, up on appeal from the county court, where Judge Tash found the defendant guilty, was continued over the term. The essential witnesses for the state happened to be out of the city when the case came up for trial. In every other case, the jury overrode the sentence of the county or police court.

Edward Balfe was acquitted on an instructed verdict. Balfe was charged with the possession of intoxicating liquor in a place other than his dwelling. The defendant rooms at the Rodgers' rooming house, and one evening a few weeks ago a booze party took place. A bottle, opened and partially consumed, was found on a stand at the head of Balfe's bed. In county court, this was held to be illegal possession by Judge Tash. R. O.

Reddish, attorney for Balfe on appeal to the district court, argued that the evidence did not show that the defendant was the possessor of the bottle. Judge Westover's decision was that both of them were on the wrong track; that Balfe was in his dwelling, as contemplated by the law, and that he was entitled to the possession of a reasonable amount of intoxicating liquor. The jury was instructed to bring in a verdict of acquittal.

The second day of the present term, the complaint against Dell Davis, repealed from police court, where he was found guilty of illegal possession of liquor, was dismissed by Judge Westover, due to the fact that the complaint was not properly drawn and did not charge him with an offense against the law.

THE WEATHER

Forecast for Alliance and vicinity: Fair tonight and Saturday. Cooler tonight.

BIRTHS

To Mr. and Mrs. Earl Crowe, 128 Missouri Avenue, a boy, June 5.

FINGER PRINT CONFERENCE FOR ALLIANCE SOON

EXPERTS FROM STATE BUREAU TO COME HERE

Police Officers from Several Western Nebraska Counties Expected to Attend.

Work of the newly organized finger print bureau of the state law enforcement division will be explained to the different peace officers of the state as a series of conferences which have been arranged by State Sheriff Gus A. Hyers.

The conferences will be held at Lincoln, Norfolk, Hastings, McCook, North Platte, Sidney and Alliance. The first conference will be held in Lincoln, June 17, with representatives of twelve counties present.

Following is the announcement:

Governor S. R. McKelvie announces that there will be a series of law enforcement meetings in different parts of the state of Nebraska, during the months of June and July, with the different peace officers of the state, including the mayor, chiefs of police, city marshals, sheriffs and the county attorneys. H. J. Nielsen, the finger print expert, employed by the state law enforcement bureau, will explain in detail to the peace officers how they should send in the finger prints of the suspicious characters that are picked up. When possible Governor McKelvie will be present at these meetings. Attorney General Davis or one of his assistants will be available at these meetings to answer any questions pertaining to law enforcement. State Sheriff Gus A. Hyers will be at each of these meetings and will discuss with the peace officers, the enforcement of the laws relative to prohibition and automobile stealing. Under the new state law, the peace officers over the state are required to send in a list of all prisoners outside of those held for petty crimes, and their finger print.

The following meetings will be held: Lincoln Division, Lincoln, Neb., June 17—All peace officers from the following counties will be expected to be present: Sary, Johnson, Cass, Otoe, Nemaha, Richardson, Pawnee, Gage, Saline, Lancaster, Butler and Seward. They will meet at the state headquarters at 204 Brownell block, Lincoln, Neb., at 1 o'clock p. m.

Norfolk Division, Norfolk, Neb., June 23 at 1 o'clock p. m.—All peace officers from the following counties will be expected to be present: Platte, Douglas, Dodge, Washington, Colfax, Burt, Stanton, Cummings, Antelope, Pierce, Wayne, Thurston, Dakota, Dixon, Cedar, Knox, Holt, Boyd, Brown, Rock, Keya Paha, Cherry, Blaine, Howard, Merrick, Loup, Garfield, Valley, Wheeler and Greeley.

Hastings Division, Hastings, Neb., June 18, at 1 o'clock p. m.—All peace officers from the following counties will be expected to be present: Buffalo, Hall, Sherman, Polk, York, Hamilton, Fillmore, Jefferson, Nuckolls, Thayer, Adams, Kearney, Franklin, Clay, Webster, Phelps and Harlan.

McCook Division McCook, Neb., July 1, 1921 at 1 o'clock p. m.—All the peace officers from the following counties will be expected to be present: Red Willow, Gosper, Furnas, Frontier, Hitchcock, Hayes, Chase and Dundy.

North Platte division comprises the following counties: Perkins, Keith, Arthur, Lincoln, Lawson, McPherson, Logan and Custer.

Sidney division comprises the following counties: Scotts Bluff, Banner, Morrill, Kimball, Garden, Cheyenne and Deuel.

Alliance division comprises the following counties—Sheridan, Dawes, Sioux, Box Butte, Grant, Hooker and Thomas.

The dates for the North Platte, Sidney and Alliance meetings will be announced later. The state law enforcement bureau will send invitations to the various peace officers of the different counties.

MANY ATTEND THE RED CROSS MEETING HERE

WESTERN NEBRASKA CHAPTERS SEND DELEGATES

Assistant Manager of Central Division Headquarters Present at Regional Conference

Delegates representing about twenty out of the twenty-five Red Cross chapters in western Nebraska were in Alliance Thursday, in attendance at the regional conference held at the Alliance hotel. This is a better showing than has been made at any other conference held in this district which comprises nine central states. The session began at 10 a. m. in the Fern Garden and adjourned at 4:30 p. m.

Various speakers during the conference discussed several phases of Red Cross work now under way in the nation and especially in western Nebraska. Division Manager Walter Davidson of Chicago was unable to be present, having been called to attend a conference at Washington, D. C., occasioned by the recent Pueblo flood disaster. His place was taken by the assistant division manager, R. C. Branion.

Mr. Branion was the chief speaker at the noon luncheon, given in the Palm Room at 12:30. He spoke on the topic, "The National Program of the American Red Cross," which involves such things as disaster relief, which is particularly timely in view of the work which the organization is now engaged in at Pueblo. Other national projects include Americanization, public health nursing and many other phases of health work.

E. G. Laing, chairman of the executive committee of the Alliance chapter, made the address of welcome. Miss Minnie Ahrens, director of the nursing service for the central division, gave an excellent talk on her work. She came to this city from Cheyenne, where a similar meeting has been held. Miss May Baxter, state nursing supervisor, made an effective address. Mrs. C. England of Broken Bow told of ex-soldier work and social service in Custer county.

Following the noon luncheon, cars were provided to show the visitors about the city before the afternoon session began, and following the closing of the conference a number of the visitors were taken to the Country club, where they were given an opportunity to try their hand at golf.

The Scottsbluff chamber of Commerce has requested that the next regional conference be held in that city.

The following is the list of delegates who registered at headquarters:

- Mrs. C. England, Broken Bow.
- Miss Julia Rucker, Chadron.
- Mrs. E. H. McKelvey, Bayard.
- Mrs. Eva Gross, Bayard.
- Mrs. F. I. Feltz, Keystone.
- Mrs. W. H. Williams, Ainsworth.
- Mrs. Robert N. Hayward, Hyannis.
- Mrs. N. G. Palmer, Valentine.
- Woodruff Ball, Valentine.
- Miss Ennes, Gering.
- Mrs. C. W. Wright, Scottsbluff.
- Mrs. Charles Dewlin, Scottsbluff.
- Mrs. Girdon, Morrill.
- Mrs. Margaret Schuetz, Bridgeport.
- Mrs. R. C. McConnell, Seneca.
- Mrs. E. K. Melmine, Bridgeport.
- B. Schwarz, Rushville.
- C. E. Yaune, Hyannis.
- W. M. Alden, Hyannis.
- Mrs. Bertha E. Gordon, Chadron.
- Mrs. Doris Curry, Marsland.
- Miss Katharine Feather, Ogallala.
- F. B. Anderson, Morrill.
- C. O. Sawyer, Rushville.
- C. L. Mayes, Rushville.
- Mrs. Walter C. Nye, Ogallala.
- Mrs. Laura M. Kinty, Lodge Pole.
- Mrs. P. C. Erickson, Brewster.
- Mrs. L. T. Phillips, Brewster.
- Miss Opal Russell, J. T. Bankhurst.
- Ella Beck, W. H. Johnson, Stephen J. Epler, Zella Johnson, S. W. Thompson.
- Dr. H. A. Copey, E. G. Laing, Alliance.

Automobile Racing at the Fair Grounds Following Race Meet

Arrangements have been made with the Western Racing association, a group of four husky young men from the vicinity of Torrington, Wyo., to stage a series of automobile races at the fair grounds Saturday, June 18. Detailed announcement will be made later. There will be several events, and an opportunity will be afforded to all comers who desire to participate. It should be a big attraction.

Fourth of July is To Be Celebrated at Fairview Church

Arrangements are being made to hold a Fourth of July celebration at Fairview church, ten miles northeast of Alliance. There will be two ball games, a patriotic program, horse and foot races and other athletic events, and address, a bowery dance and fireworks exhibition in the evening.