

REPORT SAYS M'ELHANEY CASE TO BE REOPENED

(Continued from Page 1.)

Brush had arranged, he wrote her, to have the case re-opened on the strength of this evidence by the district court at Alliance day before yesterday. She has not heard anything since.

The girl told her new version of the story to Matron Frana Lockard a few days after her arrival at the penitentiary, the matron says, and she has never deviated from it since.

"I was only waiting to see what others would do, and they have done nothing for me. That is why I am trying to do something now myself," the girl said.

Sitting in her regulation blue prison wrapper, with a pink silk dressing cap on her head, she told her story.

Mrs. McElhaney told about a fight which she said took place on the night of December 6, 1920, and which, she added, she witnessed. She admitted that she had bought the revolver with which Anderson was killed, but absolutely denied she had fired the shot.

Affidavits Are Secured.

It is rumored here that affidavits have been secured from four persons who saw the crime committed, so they claim, in which they, or part of them, swear that the woman was at some distance from Anderson when he was killed and that the shot was fired by another party. These persons are reported to have given as their reason for their silence at the trial that they did not wish to become implicated in the matter.

It is reported here that these affidavits, together with other evidence bearing on the case, will be presented to Judge Westover at the term of district court which opens at Alliance next week, with the request that action be taken which would result in the conviction of the accused and in freedom for Mrs. McElhaney. Attorneys say, however, that it is impossible for the district court to take any further action in the case, and that the sole remedy lies in an appeal to the board of pardons.

Alliance attorneys deny any connection with the case. Attorney Penrose Romig told a Herald reporter that he had assisted in securing certain depositions, but that this was the extent of his connection with the effort to have the case reopened. Mrs. McElhaney's attorneys at the time of the trial say they have heard nothing from her since she began serving her sentence, and that they have no knowledge of what is planned in her behalf.

State Journal's Story.

The State Journal at Lincoln carries a pathetic account of Mrs. McElhaney's hopes as she waits in the penitentiary for some word from Alliance that will mean that steps have been taken to secure her freedom. The Journal's account says:

"Evelyn Priess McElhaney, serving a thirty year sentence in the Nebraska penitentiary, has a ray of hope. She believes that when court opens in Box Butte county next Monday some action will be taken that will reopen her case. Information from Alliance is that such action has been considered. The nature of the move that may be taken is not disclosed.

"Mrs. McElhaney says she gave her story, with the name of the person she accuses, to the proper officials and to her lawyer and she believes witnesses can be found who will substantiate it.

"District court will meet at Alliance next Monday.

"Evelyn Priess McElhaney has spent thirteen months of her long time sentence. She is not in a hopeless mood but she wonders at the slowness of things—at the apparent difficulty in hiding a lie with the truth.

"She has a mother and six sisters living at Alliance. She was running a rooming house at Alliance when the tragedy took place. She told the story to Matron Lockard at the penitentiary when she first arrived and has consistently stuck to it from the day of her arrival. She was reluctant to retell the story to a Journal reporter, but when pressed to do so she told it."

Public Sentiment Aroused.

Public sentiment at the trial was very strongly against the defendant, and there has been no noticeable change. Mrs. McElhaney admitted during her trial that she had fired the shot that killed Earl Anderson. The murder took place in an alley back of the Joe Smith pool hall early in the morning of December 7, 1920. The evening before, Anderson had been at her rooming house and there had been a quarrel. Mrs. McElhaney charged that he had behaved unrespectably toward her. Later he called up and she went to meet him in the alley. Witnesses testified that she carried her pistol with her.

During the course of the trial, Mrs. McElhaney gave several versions of the way the killing took place. One was that she was nervous and excited and unconsciously pressed the trigger. Another was that he had drawn a knife and started toward her and that she had killed him in self-defense.

It is believed that even though the district court has no jurisdiction in the case, an attempt will be made to secure favorable action by the board of pardons. There are a number of cogent reasons as to what will be done, but definite information is lacking. News dispatches give the impression that the people of this section are gradually coming to the place where they believe in the woman's innocence. The county authorities have not had an opportunity to look over the affidavits which are said to be in exist-

tence, but County Attorney Basye made it plain that he would have to discuss the case with witnesses in person and know exactly what they will testify before he would consider taking action against the man named by Mrs. McElhaney or approve a possible application before the state pardon board.

Chappell Team Is Defeated by Alliance on Thursday Evening

The Alliance high school basketball team defeated Chappell, the league leaders Thursday evening 17 to 18 in a game which was watched with interest throughout western Nebraska. This victory puts Alliance back in the championship race and apparently should indicate that either Alliance or Sidney should cop the banner. Sidney probably has the edge as they play the remaining game with Alliance on their own floor. Chappell while strong will probably not be able to take Sidney's measure on their own floor and so may not be counted as a likely contender. Most of the other teams have already played too many games to have any chance although they might have the satisfaction of taking a fall out of the leaders.

The Alliance-Chappell game Friday did not start until after nine o'clock because of a dispute over the referee. When the difficulty over where the games would be played, when and the money paid, the other team had been settled by the board of control of western Nebraska. The board also appointed Shellenberger of Potter, a former Nebraska star, referee in order that no difficulty should arise over this. Coach Basye suspected that

Chappell would try to slip out of this agreement and so saw to it himself that Shellenberger was there. The Chappell coach objected to Shellenberger and insisted that a Chappell man referee the contest. The argument over this lasted until after nine o'clock when the game was started with Shellenberger as referee. Sidney also had a complaint against Chappell and Chappell has always shown a peculiar reluctance to playing away from home evidently thinking that matters would be much safer at home than away. Why Chappell should have objected to Shellenberger is not known unless they wanted to put in a man who would give them something more than a square deal in the decisions. For Shellenberger is known throughout Nebraska as an absolutely square referee.

Additional Discount to Sale Purchasers Offered by Darling

George D. Darling, who is now staging a big removal sale preparatory to moving his stock over to the Rumer block, is making a rather unusual offer to his patrons. A week or so ago, before arrangements were made to move to the new location, Mr. Darling staged a "Red Tag" sale, with large discounts. Later, when the removal sale was started, the discounts were materially increased. This, in Mr. Darling's opinion, indirectly works to the disadvantage of those who took advantage of the first sale, and he has announced that the prices at the "Red Tag" sale will be equalized with those at the later sale. Purchasers are to be given an additional 10 per cent discount, payable in merchandise.

Nebraska News Notes

HIGHWAY PROBE TO START FEBRUARY 21

LINCOLN—The special commission which is to investigate state highway administration and costs met in the office of Governor McKelvie last Wednesday afternoon and decided to begin hearing in Lincoln on February 21. A committee consisting of Governor McKelvie and Attorney General Davis is to prepare a questionnaire to be sent to all county clerks seeking information as to the work that has been done in the various counties and the cost thereof. The committee is also to prepare a statement to the given to the newspapers, asking anyone having information which they consider of importance to lay it before the commission.

The special commission consists of the governor, attorney general, auditor and Senators Bushes and Richard and Representatives Emerson and Hoffmeister. State Engineer Johnson also met with them Wednesday.

TAXPAYERS LEAGUE KICKS ON BRIDGE WORK

LEXINGTON—E. B. Smith and Dan McKee, democrats were chosen chairman of a meeting of the Dawson county Taxpayers league here Tuesday, over two republicans, after members of the two parties had waged a bitter word battle each in apparent effort to outdo the other in flaying the present administration, both state and national.

"Use discretion, the house under a bit of strain isn't any safer than a state aid bridge," warned the jan-

itor from the basement when applause over suggestions for economy became a little uproarious.

"We should get a divorce from the present costly system of road administration," declared J. T. Costlin in recommending moves toward economy.

Twenty foot piling was placed under bridges in this county, instead of the forty foot length, which was needed, because the twenty was easier to drive, a west end farmer asserted.

A committee of five was named to investigate the cost of roads and bridges in the county.

SEVEN BRIDGE PROJECTS WILL BE ABANDONED

LINCOLN—Seven state aid bridge projects, for which plans had been drawn and costs estimated, will be abandoned this year in accordance with the state legislature's action in cutting off the appropriations for that purpose.

The aggregate estimated cost of the seven bridges was \$480,000, of which one-half was to be paid by the state and the other half by the counties. The counties must bear the entire expense if any are constructed this year.

Bridges on the 1922 program, now abandoned, were: Garden county, three bridges over the North Platte at Lisco, Oshkosh and Lewellen; Lincoln county, over the Platte at Brady; Merrick county, over the Platte at Silver Creek; Saunders and Douglas counties, over the Platte at Yutan, and Holt county, over the Elkhorn at Ewing.

OIL PIPE LINE AGAIN SHOWS UP IN NEWS

O'NEILL—A pipe line from the Wyoming oil fields to either Omaha or Sioux City, on the Missouri river, is a possibility of the near future, with

construction to begin this summer.

The Mid-West company, one of the largest operators in Wyoming, is the concern behind the movement for construction of the line, which if built will follow the route of the North-western from Casper through here to enable it to tap the Big Chief fields north of Rushville, which the Mid-West now is developing.

"It may be necessary to construct the line to provide a market for Wyoming's crude oil products," said Vice President John D. Clark of the Mid-west. He said that crude oil producers are demanding the broadening of the market in order to save them from disaster and that the future prosperity of the state practically depends upon the construction of one or more pipe lines to the river.

TWO MEN NEARLY LOSE LIVES IN BLIZZARD

AINSWORTH—Amos Burwell and Worth Shrimpton, undertakers, en route to Springfield to prepare a body, became lost in a terrific blizzard and were forced to spend the entire night in an automobile on the prairie while the storm raged. Burwell's face is badly frozen and he has lost the sight of one eye, due to the eye ball being frozen. Shrimpton was also badly affected by the frost. They found refuge in a farm house during the morning. Burwell is in a critical condition.

A science note says a man's brain attains a maximum weight at 20 years. It's probably so; at least, that's about the age when a youngster knows it all.

California produced 140,000,000 lbs. of prunes last year, which is only a pound and a half per capita for the United States. But prunes swell.

We welcome you, State and Local officers of the American Legion. Make our city your city, and we welcome you with a glad hand.

W. R. Harper Dept. Store
BIG STORE ALLIANCE, NEBR.

We are for the American Legion and its Bonus Bill. Let everyone help with their support to give the boys what they rightly deserve.

BILL HARPER.

A sale advertisement doesn't make a sale unless you have sensational Sale Bargains to back it. And you can't get bargains unless you have sufficient CASH, or at least, GOOD CREDIT to secure price concessions. Harper's is a STRICTLY CASH STORE in Alliance with sufficient SPOT CASH at its command to take advantage of market conditions.

<p style="text-align: center;">First Signs of Spring NEW HATS ARRIVE</p>  <p style="text-align: center;">Soft fabrics combine with crisp straws to fashion snug shapes that fit closely, and broad brimmed models that flatter. Deftly placed ornaments of various trimmings make these hats distinctive.</p> <p style="text-align: center;">The Colors Are Wonderful The colors of fashion's latest whim—Newport Green, Flame, Sapphirine Blue, Sand—and the ever-favorable darker shades.</p> <p style="text-align: center;">Price Extremely Reasonable \$5.00 to \$15.00</p>	<p style="text-align: center;">Attractive Footwear For Early Spring</p>  <p style="text-align: center;">Oxfords are unquestionably the correct wear for early spring. The smartest models have low walking heels, or the higher military heel. Among distinguishing features is the saddle strap, and the banding or contrasting color.</p> <p style="text-align: center;">In gun metal, patent colt, tan calf, and brown kid, \$4.98.</p>	<p style="text-align: center;">300 Men's Shoes \$3.95</p>  <p style="text-align: center;">There are about 300 pairs in this lot, every pair an exceptional value. Brown calf and black kid leather, Goodyear welt soles.</p> <p style="text-align: center;">All Sizes and Widths.</p>	<p style="text-align: center;">Men's Fine Shirts \$1.29</p>  <p style="text-align: center;">Varied patterns in coat style, with collars detached, in madras and percales.</p> <p style="text-align: center;">Sizes 14 to 16½</p>		
<p style="text-align: center;">300 Smart New Dresses \$24.50</p> <p style="text-align: center;">Smart New Dresses—Late models, only recently arrived. Tantas, Cantons and Poirrets, in every size. Every dress an exceptional value.</p> <table style="width: 100%; border: none;"> <tr> <td style="border: none;">Little Tots' COATS Values to \$10 \$4.75</td> <td style="border: none;">Girls' SWEATERS Values to \$8 \$2.95</td> </tr> </table>	Little Tots' COATS Values to \$10 \$4.75	Girls' SWEATERS Values to \$8 \$2.95	<p style="text-align: center;">Sale on Cotton Large 3-pound Rolls 98c Each</p> <p style="text-align: center;">Regular \$1.75 values, two to a customer.</p>	<p style="text-align: center;">Black Cat Hosiery Saturday Only. 25c</p> <p style="text-align: center;">40c and 50c values, all sizes 5 to 10. 100 dozen to select from.</p>	<p style="text-align: center;">Black Cat Ladies Silk Hosiery Sale \$1.00</p> <p style="text-align: center;">Regular \$1.98 values. Saturday only. Black and brown.</p>
Little Tots' COATS Values to \$10 \$4.75	Girls' SWEATERS Values to \$8 \$2.95				

W. R. Harper Dept. Store
BIG STORE ALLIANCE, NEBR.

**We Sell for CASH
We Sell for LESS**

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We Sell for LESS**

IMPERIAL THEATRE

MONDAY & TUES. 13 and 14

Priscilla Dean in **"Conflict"**

A Stupendous North Woods Sensation.

One Show Only Each Night, Commencing at 8 p. m.

Comedy "A Family Affair" 13c and 40c & W. T.