

LEGAL NOTICE

PROPOSED BY INITIATIVE PETITION

322 FOR

This Act relates to cities and villages and public electric light and power districts which own or operate electric light and power plants, distribution systems and transmission lines. It authorizes the extension of such lines and systems for the purpose of serving farmers and others living outside such cities and villages and also authorizes the owners of such plants to provide means for financing same.

323 AGAINST

A BILL

FOR AN ACT relating to Cities and Villages, and public electric light and power districts, which own or operate electric light and power plants, distribution systems and/or transmission lines; to authorize the extension of such lines and systems for the purpose of serving farmers and others living outside such cities and villages, and to provide means of financing the same.

Be It Enacted By The People Of The State Of Nebraska:

Section 1. Any city, village, or public electric light and power district, within the state, which may own or operate any electric light and power plant, distribution system, and/or transmission lines may extend the same beyond its boundaries, and for that purpose is hereby authorized and empowered to construct, purchase, lease, or otherwise acquire, and to maintain, improve, extend, and operate electric light and power plants, distribution systems, and transmission lines, outside of the boundaries of such city, village or public electric light and power district, for such distance and over such territory within this state as may be deemed expedient. In connection therewith any such city, village, or public electric light and power district may enter into contracts to furnish and sell electrical energy to any person, firm, association, corporation, municipality or public electric light and power district. No such construction, purchase, lease, acquisition, improvement, or extension of any such plant, distribution system and/or transmission lines without such boundaries, however, shall be made, except upon the approval of the majority of the qualified electors of such municipality or district voting upon such proposition at an election called for that purpose.

Section 2. For the purpose of selling or purchasing electrical energy for lighting, heating or power purposes, any city, village, or public electric light and power district may by contract connect and interconnect its electrical light and power plant, distribution system and/or transmission lines with the electric light and power plant, distribution system and/or transmission lines of any other city, village, or public electric light and power district, whenever authorized by a majority of the qualified electors of each such municipality or district voting upon such proposition at elections called for that purpose.

Section 3. Such construction, purchase, lease, acquisition, improvement or extension may be paid for by the issuance of bonds or the levy of taxes as otherwise by law provided, or in lieu of any other lawful methods or means of providing for the payment of indebtedness, any city, village, or public electric light and power district within this state, shall have the power and authority, by and through its governing body or board of directors, whenever authorized by a majority of the qualified electors voting upon such proposition at an election called for that purpose, to provide for the cost or expense of purchasing, constructing, extending, improving, or otherwise acquiring, any property necessary or useful in the operation of any electric light and power plant, distribution system, and/or transmission lines, by pledging, assigning, or otherwise hypothecating, the net earnings or profits, of such electric light and power district, city, village, derived from the operation of such electric light and power plant, distribution system and/or transmission lines.

PROPOSED BY INITIATIVE PETITION

324 FOR

This law (1) gives cities and towns owning electric light and power plants the right, provided cost is paid out of net earnings, to extend their lines beyond their border to serve farmers and others, and (2) the right to pay for power plants, etc. by pledging future earnings instead of by taxation, and (3) provides that no publicly-owned plant may be sold except upon approval of sixty percent of voters and filing of statement of original cost, etc. with Department of Public Works, and limits amount of money which may be spent in campaign for sale of plant.

325 AGAINST

A BILL

FOR AN ACT relating to cities, villages, and public electric light and power districts engaged in the generation, transmission, distribution, purchase and/or sale of electrical energy for lighting, heating and power purposes; to provide for the extension, by any city, village, or public electric light and power district of its electric light and power plants, transmission lines and service outside of the boundaries of such municipality or district; to provide for interconnection of electric light and power plants, lines, systems and service by and between cities, villages and public electric light and power districts in this state; to authorize the pledging or hypothecating of the net earnings and profits of publicly-owned electric light and power plants, lines or systems, to pay for property necessary or useful in the operation of such plants, lines or systems; to make certain requirements and restrictions concerning the sale or alienation of cities, villages and public electric light and power districts of electric light and power plants, lines and systems to private persons, firms and corporations; to define certain crimes in connection with such sale or alienation and fixing the penalties therefor; and to make applicable to cities, villages and public electric light and power districts, the general provisions of law concerning private electric light and power companies as to eminent domain, right-of-way and physical construction and maintenance of electric light and power plants, lines and systems.

Be It Enacted By The People Of The State Of Nebraska:

Section 1. Any city, village, or public electric light and power district within the state, which may own or operate, or hereafter acquire, or establish, any electric light and power plant, distribution system, and/or transmission lines may, at the time of, or at any time after such acquisition or establishment, extend the same beyond its boundaries, and for that purpose is hereby authorized and empowered to construct, purchase, lease, or otherwise acquire, and to maintain, improve, extend, and operate electric light and power plants, distribution systems and transmission lines, outside of the boundaries of such city, village, or public electric light and power district, for such distance and over such territory within this state as may be deemed expedient. In the exercise of the powers granted by this section any such city, village, or public electric light and power district may enter into contracts to furnish and sell electrical energy to any person, firm, association, corporation, municipality, or public electric light and power district. No such construction, purchase, lease, acquisition, improvement, or extension of any such additional plant, distribution system and/or transmission lines, however, shall be paid for except out of the net earnings and profits of one or more of all of the electric light and power plants, distribution systems and transmission lines, of such city, village, or public electric light and power district. The provisions of this act shall be deemed cumulative and the authority herein granted to cities, villages and public electric light and power districts, shall not be limited or made inoperative by any existing statute.

Section 2. For the purpose of selling or purchasing electrical energy for lighting, heating or power purposes, any city, village, or public electric light and power district in this state is hereby authorized to enter into agreements to connect and interconnect its electric light and power plant, distribution system and/or transmission lines with the electric light and power plant, distribution system and/or transmission lines of any one or more other cities, villages, or public electric light and power districts in this state, upon such terms and conditions as may be agreed upon between the contracting cities, villages and public power districts.

Section 3. In lieu of the issuance of bonds or the levy of taxes as otherwise by law provided, and in lieu of any other lawful methods or means of providing for the payment of indebtedness, any city, village, or public electric light and power district within this state shall have the power and authority, by and through its governing body or board of directors, to provide for or to secure the payment of the cost or expenses of purchasing, constructing, or otherwise acquiring, extending and improving, any real or personal property necessary or useful in its operation of any electric light and power plant, distribution system, and/or transmission lines, by pledging, assigning, or otherwise hypothecating, the net earnings or profits of such electric light and power district, city, or village, derived, or to be derived, from the operation of such electric light and power plant, distribution system, and/or transmission lines and, to that end, to enter into such contracts and to issue such warrants or debentures as may be proper to carry out the provisions of this section.

Section 4. No sale, lease or transfer of any electric light or power plant, distribution system, and/or transmission lines, by any city, village, or public electric light and power district to any private person, firm, association, or corporation, shall be valid unless such sale, lease or transfer shall be authorized by a vote of not less than sixty per cent of the qualified electors of such city, village, or public electric light and power district voting on such proposition at a regularly called election, and unless four months' notice of said election to vote on such proposed sale, lease, or transfer shall have been given by the governing authorities of such municipality or public electric light and power district, as the case may be, by publication once every two weeks in one or more newspapers of general circulation in such municipality or public electric light and power district.

Section 5. In order to consummate and complete the sale, lease, or transfer, of any electric light and power plant, distribution system, or transmission lines by any city, village, or public electric light and power district of this state, to any private person, firm, association, or corporation, there shall be filed in the office of the Department of Public Works of this state, prior to any delivery or change of possession, control or management under such sale, lease, or transfer, true and exact duplicate signed copies of all agreements, conveyances, contracts, franchises, deeds, leases, bills of sale, and other instruments under which such sale, lease, or transfer, is to be made. Said instruments shall be certified to under the oath of the executive or presiding officers of the seller and purchaser, respectively, as such true and exact duplicates. At the same time, and accompanying said documents and instruments of sale and transfer, there shall be filed with said Department of Public Works a statement and report, in form and detail to be approved by said Department and the Attorney General, clearly setting forth the following facts and data, to-wit:

(a) The location and detailed description, including source and methods of generation, of all the property involved in the sale, lease or transfer.

(b) The dates of the construction, purchase, or other acquisition, by such municipality, or public electric light and power district, of such power plant, distribution system, and/or transmission lines, including all replacements, extensions, repairs and betterments, together with a detailed statement of the actual cost.

(c) A detailed description of such parts of the utility to be sold as between the time of acquisition thereof and the time of the sale under consideration shall have become obsolete, or shall have been sold, transferred, lost, destroyed, abandoned, or otherwise disposed of by such municipality or public electric light and power district, and the cost of such part of the utility including extensions or additions thereto.

(d) A complete schedule of the rates and charges made or levied by such municipality or public electric light and power district for electric current, and a full and complete statement showing the financial condition and the receipts and disbursements of such municipality or public power district in the operation of the utility during the preceding three-year period, and a statement of the bonded indebtedness, if any, of such municipality or public power district in connection with its ownership or operation of the utility, including the amount of all bonds issued and paid.

Such statement and report shall be certified and sworn to as correct by the presiding officer of the governing body of such municipality or public electric light and power district, as the case may be, and shall also have thereto attached the certificate and oath of the presiding officer, or other duly authorized executive officer, of the purchaser, under the seal of the purchaser, if a corporation, that the purchaser of said utility has examined said statement and report, has investigated the facts therein set forth, believes said statement and report to be true and correct, and that the proposed purchase of said utility has been made with reference to and in reliance upon the facts, situation, and circumstances, set forth in said statement and report. The filing of said instruments and said statement and report, certified as herein required, is hereby made a condition precedent to the validity of any such sale, lease, or transfer.

Section 6. Whoever shall make, utter or subscribe to any statement and report, or certificate, required under the provisions of the last preceding section, knowing or having reason to believe that any such statement and report, or certificate, is false, shall be guilty of a felony and upon conviction thereof, shall be fined not more than Five Thousand Dollars or shall be imprisoned in the state penitentiary not more than one year. Any instrument, statement and report, or certificate filed with the Department of Public Works as provided for in this Act, or certified copies thereof, shall be competent evidence in any hearing or proceeding involving the valuation of the electric light and power plant, distribution system, or transmission lines, covered by said statement and report and certificate, for rate making purposes, taxation, or in any other matter in which the facts and statements in such instrument, statement and report, or certificate, may be involved or drawn in question, and the purchaser thereof and his, or its successor, or assigns, shall be forever estopped to deny the facts set forth in such instrument, statement and report, or certificate.

Section 7. No private person, firm, association or corporation proposing to purchase, lease, or otherwise acquire any electric light and power plant, distribution system, or transmission lines, from any city, village or public electric light and power district of this state, nor any one on behalf or for the benefit of such proposed purchaser, may, in order to promote or bring about such sale, lease, or transfer, pay out, contribute, or expend, directly or indirectly, money or other valuable thing in excess of three thousand dollars nor, in any event, in excess of a sum, in number of dollars, greater than the number of the qualified voters in such municipality or public electric light and power district, based on the total vote cast for governor at the last general election. Any person, firm, or corporation, violating any provision of this section shall be guilty of a felony and upon conviction thereof shall be fined in a sum not exceeding ten thousand dollars or shall be imprisoned, if a person or persons, for not more than one year in the penitentiary of the state, or shall be liable to both such fine and imprisonment, in the discretion of the court. Any violation of this section shall nullify and render wholly void any such proposed purchase, lease or acquisition; provided, however, any action to set aside and render invalid any such sale, lease, transfer or acquisition, under the provisions of this section, shall be brought in the district court of the county in which such municipality or public electric light and power district, or a portion thereof, is located, by one or more electors of such municipality or public electric light and power district, or by such municipality or public electric light and power district, within ninety days after the holding of the election at which the question voted on shall have been submitted.

Section 8. Within ten days after any election upon the proposition of the sale, lease or transfer of any electric light or power plant, distribution system, and/or transmission lines, as provided by Section 4 of this Act, the person, firm, association, or corporation, proposing to make or secure such purchase, lease, or transfer shall file with the Secretary of State a sworn statement, in form and detail to be approved by the Attorney General, showing all expenditures made and all obligations incurred by such proposed purchaser, directly or indirectly, in connection with or pertaining to such proposed sale, lease, or transfer and in connection with or pertaining to such election. Any person, firm, association, or corporation who shall fail or refuse to file such statement or who shall subscribe to such statement, knowing the same to be false, shall be guilty of a felony and upon conviction thereof shall be fined in a sum not exceeding ten thousand dollars or shall be imprisoned, if a person or persons, for not more than one year in the state penitentiary, or shall be liable to both such fine and imprisonment in the discretion of the court.

Section 9. All provisions of law now applicable to electric light and power corporations as regards the exercise of the power of eminent domain, the use and occupation of the public highways and the manner or method of construction and physical operation of plants,

systems and transmission lines shall be applicable, as nearly as may be, to municipalities and public electric light and power districts in their exercise of the powers and functions and in their performance of the duties conferred or imposed upon them under the provisions of this Act.

PROPOSED BY INITIATIVE PETITION

326 FOR

This is an Act relating to cities, villages, and public electric light and power districts which own or operate electric light and power plants, distribution systems and/or transmission lines; prohibiting the sale of such plants, systems, or lines, except for cash, and unless authorized by a vote of the electors; regulating such election; forbidding the giving or receiving of anything of value in connection with such sale or purchase for such plants, systems or lines, and to fix a penalty for violation thereof.

327 AGAINST

A BILL

FOR AN ACT relating to cities, villages, and public electric light and power districts which own or operate electric light and power plants, distribution systems and/or transmission lines; prohibiting the sale of such plants, systems, or lines, except for cash, and unless authorized by a vote of the electors; regulating such election; forbidding the giving or receiving of anything of value in connection with such sale or purchase for such plants, systems or lines; and to fix a penalty for violation thereof.

Be It Enacted By The People Of The State Of Nebraska:

Section 1. No city, village or public electric light and power district shall sell any electric light or power plant, distribution system, and/or transmission lines, owned by such city, village, or public electric light and power district, except for cash and unless such sale shall be authorized by a vote of the majority of the qualified electors of such city, village or public electric light and power district voting on such proposition at an election called for that purpose, and unless four weeks' notice of said election to vote on such proposed sale shall have been given by the governing authorities of such municipality or public electric light and power district, as the case may be, by publication once each week in one or more newspapers of general circulation in such municipality or public electric light and power district.

Section 2. In connection with the purchase of any equipment, material or supplies for the sale, lease, or transfer of any electric light and power plant, distribution system, or transmission lines, by any city, village, or public electric light and power district, no officer or employee of any city, village or public electric light and power district, shall take, demand or receive, and no person, firm, or corporation, shall offer pay or give to such officer or employee, directly or indirectly, any gratuity, bonus, commission, emolument, money, or other valuable consideration, in order to promote or bring about such purchase, sale, lease, or transfer.

Any person, firm or corporation violating this section shall be guilty of a felony and upon conviction thereof shall be fined a sum not exceeding Ten Thousand Dollars, or be imprisoned, if a person or persons, for not more than one year in the penitentiary of the state, or both such fine and imprisonment in the discretion of the court.

LOCAL NEWS

From Thursday's Daily—

C. G. Mayfield was here today for a few hours, visiting with friends and looking after some matters of business.

William Starkjohn was a business visitor in Omaha today going to that city on the early Burlington train to spend a few hours.

Enos Jones of Sioux Falls, South Dakota, is here for a visit at the home of his uncle and aunt, Mr. and Mrs. W. A. Robertson.

Raymond Bookmeyer of Pittsburgh, Pennsylvania, arrived here this morning for a vacation visit with his mother, Mrs. Rose Bookmeyer and his aunts, Mrs. Lillian Freeman, Clara and Mary Bookmeyer and the other relatives and friends.

Miss Virginia Willis of Long Beach, California, daughter of Mr. and Mrs. Grover Willis, is here to enjoy a visit at the home of her uncle and aunt, Mr. and Mrs. Robert Willis and with the relatives and friends of the Willis family in this section.

Mrs. John Bagley and Mrs. Emma Burdick of Omaha and also Miss Vera Burdick of Chicago, were in the city today for a few hours visit and while here called at the Journal where Mrs. Burdick renewed her subscription. The party also visited at Nebawka.

Mr. and Mrs. Levi Swigert of Cameron, Missouri, were here Wednesday for a visit at the home of Sheriff and Mrs. Bert Reed, cousins of the Swigert family. From here Mr. and Mrs. Swigert motored to Weeping Water to visit with the Ed Ruby family and will then go on to Lincoln and Denver for a short outing.

From Friday's Daily—

Attorney C. E. Tefft of Weeping Water was a visitor in the city today being called here to look after some matters of business.

Melvin Johnson, of Chicago, is here to spend his vacation with his father, G. Johnson and sister, Miss Helen, at the farm south of this city.

John Roerback who has been visiting at Chicago with relatives and friends for a short time, returned home this morning after a very pleasant outing.

Mrs. L. A. Ahl of Lincoln, who has been here visiting for a short time at the William Weaver home, returned this morning to her home in the state capital city.

Mrs. W. A. Bentley and grandson, of Omaha who have been visiting at the home of Mr. and Mrs. J. H. Palacek, returned home today and were accompanied by Mrs. Palacek.

Mrs. G. R. Holcomb and Mrs. Don Seider departed Thursday for Marion and Cedar Rapids, Iowa, where they will enjoy a few days outing at the home of Mrs. Holcomb's relatives and old time friends.

Mrs. Mary Foster and daughter, Miss Nellie Kennedy, of Tacoma, Washington who has been visiting here at the home of Mr. and Mrs. Val Burkle, departed yesterday for a short visit in the state and will then go on to their home. Mrs. Foster is a sister of Mrs. Burkle.

From Saturday's Daily—

Mrs. A. W. Bayerdorfer of Omaha, former resident here, was in the city Friday for a few hours visit with the old friends.

Mrs. Edna Shannon of Weeping Water was a visitor here Friday for a short time visiting with the old time friends in the city.

Mr. and Mrs. Frank Linder of San Pedro, California, are here for a visit at the home of Mr. and Mrs. W. P. Rice, old time friends of the Linder family.

Mrs. Martha Wetenkamp of this city, very pleasantly enjoyed a visit yesterday with Mrs. W. B. Porter and granddaughter of Omaha and Mrs. Ida Cole of Mynard, County Commissioner Fred H. Gorder of Weeping Water was here today to attend to some matters of importance relative to his work as commissioner in the third district.

Mrs. Martha Peterson, who has been visiting at Excelsior Springs, Mo., for a short time with old friends, has returned home and reports a very pleasant visit in the well known resort city.

Peter Volk and son, J. P. Volk of Caldwell, Kansas, arrived here this morning to attend the funeral services of Mrs. M. L. Freidrich, sister of Peter Volk. While here Mr. Volk and son were callers at the Journal office for a short time.

Mrs. Ella McCray and grandson, Wallace McCray of Erie, Pennsylvania, are here to enjoy a visit at the home of Mr. and Mrs. M. P. Fleming in this city and the relatives over this part of Cass county. Mrs. McCray is a cousin of Mrs. Fleming.

Mr. and Mrs. J. H. Spangler and two daughters of Merville, Iowa, are here to enjoy a visit here at the home of Mr. and Mrs. A. N. Sullivan south of this city. Mrs. Spangler being a sister of Mr. Sullivan. While here they are also visiting the many old time friends.

Republican Candidate For Congress for the First District

I belong to the Salvation Army and I am determined to live out God's word and to make good and go through. I believe in a Government of the people, for the people and by the people. As I have always been a farmer, I am especially interested in the farmers and working men, in United States Peace and Prohibition, tariff and lower taxes, that the Government should own and control the mines and railroads for the benefit of the common people; that the freight and passenger rates would be lowered, no Sunday work should be done and that there should be a Standard, Steady and Profitable Market Price.

HORACE A. REEVE, Elmwood, Nebraska

ALLAN HOOVER LABORS IN SWELTERING FOUNDRY

Bayonne, N. J., July 21.—In a roaring foundry where the temperature reached 110 degrees the son of the president of the United States labored today, his first day back to work after his vacation.

Taking a hint from the veteran foundry laborers in the plant of the American Radiator company, young Allan Hoover toiled under wraps—a heavy woolen shirt, open at the throat, an oil-stained shirt and pants and worn shoes completing his outfit. He will work until time to return to school next September.

Picnic Season is at hand and the Bates Book Store can supply you with all kinds of supplies—Plates, Knives, Forks, Spoons, Napkins, etc.

Alvo News

John B. Skinner and Lee Coatsman with trucks were hauling wheat from the home of Glen Lewis to the Rehmeier elevator.

Elmer Rosenow and wife were visiting for a short time in Ashland on last Sunday and were the guests of friends while there.

W. L. Brown has been busy with the threshing season, and with the excellent weather for the work has been keeping busy all the time.

John Coleman was assisting with the work at the elevator during the rush of both wheat and corn which was experiencing during the past week.

John E. Turner, treasurer of Cass county and candidate to succeed himself was a visitor in Alvo on last Saturday and was meeting with his many friends.

On their way home from Colorado Roy Bennett and the family stopped at the home of Wm. Sutton of Chappell and enjoyed a very fine visit with that genial former Cass county man and his family.

Last Sunday Simon Rehmeier and the family were over to Omaha where they were guests at the home of Cris Talkington, and were joined there by Fred Rehmeier and family and G. Rehmeier and wife of Weeping Water.

E. L. Nelson was a visitor in Lincoln on last Wednesday where he went to secure some goods for the store and as Lincoln is not so far away it makes it handy for the merchants here as it provides a way of having fresh goods when wanted.

Roy Coatsman with his power plant and W. H. Warner with his separator make a good team and sure they do turn out the threshing and are making good progress. They report the wheat going all the way from eight to nearly forty bushels by averaging something over twenty to the acre.

Interest In Farm Goes Cheap.

Schuyler Kellogg made the purchase of the interest of Ed Fisher in a one hundred and sixty acres, which was a half interest for thirty-five hundred dollars last week. The property is without improvements but the land looks dirt cheap and as he was buying dirt it must be so.

Improving the Property.

Wm. Yeager, the proprietor of the Alvo hotel property has been making some substantial improvements to the place in the way of some painting and re-sputting the house. This is adding to the value of the place and it is probably well to make the new look the very best. Earl Bennett and W. R. Burlingame are doing the work.

Home Last Sunday.

Earl Bennett who has been away, accompanied by the family for the past six weeks, going first to Kansas where they visited with relatives and then to the western portion of the state and finally to Lamar, Colorado, where they visited with relatives and friends and on their return stopped also out in the state for a visit arriving home on last Sunday evening. He reports good crops all along the route but some places it was getting pretty dry.

Receives Good Returns.

Charles M. Jordan threshed on last Wednesday and delivered his wheat to the Rehmeier elevator and was well pleased with the eleven acres which he had sown. The crop made an average of 34 bushels to the acre of 375 bushels for the field.

DOOMED BANDIT'S PLEA FAILS IN SUPREME COURT

Blue Ridge Summit, Pa., July 20.—Justice Willis Vandevanter, of the United States supreme court, has denied appeals of three Kansas City bank bandits, who are under sentence to be executed July 25. The appeals were presented to the justice Saturday at his summer home here by Charles Lassen and Frank Lingquist, attorneys.

Motions for a stay of execution and a writ of habeas corpus also were refused.

Furniture for Sale!

Double Tub Power Washer, \$15; Electric Washer, \$25; New Electric Washer, was \$120, now \$95; 100-lb. capacity Ice Box, \$20; 8-piece Dining Room Suit, \$59.50; two Double Folding Cots; one Lloyd Baby Buggy; one Salky; one Crub; one Roll Top Writing Desk; one Bill File; good Player Piano; one Fisher Piano; four Phonographs; one Davenport; one Duofold; one 3-pc. Mahogany finish Front Room Set. Many other articles that we can offer you now at most attractive prices.

New Furniture

We take old Furniture as part pay on new. Take advantage of the wonderful savings offered by us through the wholesale houses' annual clearance during July and August. We will take you direct to wholesale house where you can personally pick what you want, and you need not feel obligated in any way to buy, if you don't think we can save you money. Phone or write us.

Christ Furniture Co.

118-122 South 6th Street PLATTSMOUTH - NEBRASKA Telephone No. 645