

NEBRASKA NEWS

Case of Alma City Treasurership Up to Supreme Court.

EX-TREASURER HOLDS FUNDS.

Robert W. Porter Takes Appeal From Writ of Mandamus Ordering Him to Turn Cash Over to Jean McKee. Gardner Appointed Superintendent.

Lincoln, May 9.—The question as to whether or not a woman can hold the office of city treasurer has been put up to the state supreme court by ex-City Treasurer Robert Porter of Alma. A decision was once given by that body in the case of Gertrude Jordan of Cherry county, but in the case which comes from Harlan county Mr. Porter contends that Jean McKee, the woman who was elected to that place, is not eligible to the office under the constitution and the statutes.

The woman in the case contends that she is a resident taxpayer of Alma, meeting the Porter claim that she is not an elector. The question, however, before the court and the one which must be settled before the main issue can be disposed of is whether or not the woman is an elector. Unless she is, in the meaning of the statutes, it will be impossible for her to retain her hold on the office. The woman was granted a writ of mandamus from District Judge Dungan of Hastings, which compelled Porter to turn over to her more than \$3,200 of the city funds of Alma, in addition to the records and office furniture.

Jean McKee, the relator in the case, was the only candidate for city treasurer whose name was printed on the ballot at the city election, April 4. She was elected, gave bond, and demanded possession of the office. Mr. Roberts contended that she was ineligible to the office and refused to give possession. The parties to the suit instituted quo warranto proceedings in the district court to test the eligibility of the relator and this suit is still pending in that court. In the meantime, Jean obtained possession of one of the record books of the city treasurer's office. Mr. Porter says she got it through her attorney, R. L. Keester, who was then mayor. In the meantime Mr. Porter was served with notice from citizens not to give up the office. This notice came from John Everson, for himself and qualified electors of the city. Mr. Everson now appears in the mandamus suit as attorney for Mr. Porter. The latter contended when the mandamus suit was tried in the district court that the relator had not alleged that she was an elector and as she is a woman she cannot be an elector and therefore it not qualified to hold the office of city treasurer.

In the case of Gertrude Jordan from Cherry county the supreme court held that a woman may be eligible to the office of county treasurer. The opinion of the court was written by Judge Rose. Judge Letton concurred in the conclusion, but not in the reasoning. Judge Fawcett dissented and said he could not agree in either the reasoning or the conclusion and asserted that neither under the constitution nor the statutes are women given the right to vote or hold office, and under the opinion of the court there is nothing to prevent a woman from being elected judge of the supreme court or governor of the state.

Hull Appeals Bridge Suit. Joel Hull of Minden has appealed to the state supreme court from a judgment of the district court, enjoining him from prosecuting an appeal from the decision of the county board in the matter of the payment of nearly \$2,000 costs in a county bridge suit. For the cost of a bridge across the Platte river between Kearney and Buffalo counties each was levied half. Buffalo county paid its share, but later, when the Kearney county board was about to levy a tax and issue a warrant to meet what the supreme court had declared to be its obligation, Hull intervened and appealed from the decision of the county board. J. M. Easterling of Buffalo county then enjoined Hull from prosecuting the appeal through Judge Duncan, and it is from this that the Kearney county man now appeals.

Gardner Appointed Superintendent. W. H. Gardner, formerly city superintendent of schools at Pawnee City, Tecumseh, Nebraska City, University Place, Auburn and Fremont, was selected as county superintendent of Lancaster county, taking the place of O. H. Morris, who died last week. Mr. Gardner will assume the duties at once.

The position, under the new statute enacted by the late legislature, will pay Mr. Gardner \$2,200 per year, a raise of \$400 over the former salary.

Workmen in State Convention. Over 800 delegates, representing more than 450 lodges and in excess of 38,000 members of the Ancient Order of United Workmen in this state, began a three days' session in this city. Several matters of importance to the order will come up at the meeting. Several fights are promised when the election of officers for the coming year is taken up, interest centering around the selection of the grand master and the grand recorder. For the former place, J. A. Bennett of Omaha, for several years a member of the finance committee of the organization, leads and it is expected that he will secure the place now held by A. M. Walling of David City.

CONDENSED NEWS

The Illinois legislature will adjourn sine die May 19.

Harem skirts and other new fashions are not popular in London.

Ratifications of the Anglo-Japanese commercial treaty were exchanged.

The postoffice at Smithwick, S. D., was robbed of \$1,500 in stamps and money.

Universal women's suffrage was advocated in congress in a joint resolution introduced by Representative Mondell of Wyoming.

Mrs. Julia Kuttner-Earle, affinity bride of Ferdinand Pinney Earle, obtained the final decree annulling her marriage to the artist.

Captain H. Langreuter of the North German Lloyd steamship Berlin was found dead in his cabin on board the steamer at his dock in Hoboken.

Cold storage methods are to be investigated by the senate committee on commerce, with especial reference to the impounding of butter, eggs and fish.

The steamer Deutschland, with the German Antarctic expedition, sailed from Hamburg for Buenos Aires, where complete supplies will be taken on.

Mrs. Barney Williams, well remembered by playgoers of two and three generations ago, died at her home in New York. She was eighty-six years of age.

One woman was killed, a man and a woman were hurt fatally and a fourth person is missing as a result of a joy ride at Newburgh, N. Y. The auto turned over in a ditch.

Major General Carter, in charge of the maneuver division at San Antonio, has informed President Taft that despite reports to the contrary there is no discontent among the troops under him.

John W. Poole, wealthy farmer, at the preliminary hearing at Fowler, Ind., was bound over to the circuit court, charged with murder in the first degree for the killing of his farmhand, Joseph Kemper.

Following the closing of the Darlington grammar school at Pawtucket, R. I., it was announced that a boy suffering from a pronounced case of leprosy had been taken from the institution, which is attended by 500 children.

With President and Mrs. Taft and many leaders in official and diplomatic circles attending, the First National Horse show came to a close in Washington. So successful was the first meeting the show will be an annual feature of the Washington season in the future.

The appeal of the government in the so called cotton corner indictment against James A. Patten was docketed in the supreme court. The government is aggrieved because Judge Noyes dismissed the "corner counts" in the indictment.

The nineteen indictments voted by the Los Angeles grand jury against John J. McNamara and his brother, James B. McNamara, charging them with murder of twenty-one men who lost their lives in the Times explosion, were filed in Judge Borwick's court.

Andrew Carnegie received what he called his greatest mark of honor when twenty-one American republics bestowed upon him a gold medal, bearing on one side the words, "Benefactor of humanity," and on the other, "The American Republics to Andrew Carnegie."

Director of Safety Hogen dismissed from the Cleveland police force four patrolmen, reprimanded four others and suspended another for twenty days. All belonged to the coterie of fifteen suspended ten days ago for insubordination in raiding fifty saloons without orders.

EMULATE BOY TON TEA PARTY

Mob of Alaskan Dump Canadian Coal Cargo Into Sea.

Seattle, Wash., May 5.—Cable advices from Cordova, Alaska, say that a mob has scattered an Alaska Steamship company's vessel that just arrived there with a cargo of Canadian coal and began dumping it overboard.

The action of the mob is said to be result of agitation against the importation of foreign coal into Alaska.

It is asserted that the steamship company has appealed to President Taft to send troops to suppress rioting.

Several days ago agitators are reported to have begun urging the formation of a mob to emulate the "Boston Tea Party" of colonial days, and throw the Canadian coal into the sea.

Business men of Cordova and adjoining towns started a flood of messages to President Taft, urging immediate action on the pending coal cases and protesting against forcing the people of Alaska to pay high prices for foreign coal, while the native coal lies untouched.

Blower Falls Into Pit of Molten Glass. Fairmont, W. Va., May 8.—George Dehaunt, a blower at the Fairmont Window Glass company's plant, met a fearful death when he fell into a pit of molten glass. He was blowing a piece of glass when it suddenly broke and he lost his balance, falling into the pit. In his fall he came in contact with a lot of broken glass that split his skull, tore out an eye, cut off an ear and almost severed one arm.

Shop Strike Is Spreading. Pittsburg, May 5.—The strike of the Pennsylvania railroad shopmen, which was extended to the Pennsylvania lines west, continues to grow. Over 1,500 additional men joined the strike.

School Board Holds Meeting

McCook, Nebraska, May 15, 1911.

Board met pursuant to adjournment at call of president. Present Doan, Barnes, Culbertson, Suess, Lawritson, and Moore, and Sup't Taylor.

Minutes of May 1, 1911, read and approved.

The following bills were read: Osborn, Kummer & Co., draying \$12.50

Howe Smith, trees from A. J. Helm Taylor, expense 14.51

Republican, paper 21.81 Lynn Arnold, state examination fee 1.50

Lela Fisher, same 1.50 Theresa Gatewood, same 1.50 Kathryn Griffin, same 1.50

Ada Heskett, same 1.50 On motion above bills were allowed and warrants ordered drawn for the amounts.

Sup't Taylor recommends the following as teachers: Miss Sallie Hawkins as grade teacher, at \$55.00.

Miss Lena May Williams of Crawford, English teacher at \$70.00. Miss Laura McMillen, principal of East ward at \$70.00.

On motion the above were unanimously elected at above salaries. The annual organization of board was then taken up and E. H. Doan

was nominated as president and on ballot being taken, 5 votes were cast and he was chosen unanimously.

L. Suess was nominated for vice-president and six votes were cast, five for Suess and one for H. C. Culbertson. L. Suess was declared elected.

C. W. Barnes was nominated for secretary; five votes were cast and he was declared elected.

On motion the salary of the secretary for the ensuing year be \$100.00. Motion carried.

Request from Miss Slaby that she be given a year's leave of absence for the coming year.

Moved that the leave of absence for one year be granted and that her duties be assigned her by the superintendent when she returns. Motion carried.

On motion Howe Smith and Wm. Rankin were duly appointed school census enumerators and that according to law the parent or guardian of such children make oath or affirmation such record is true.

The president appointed the following committees: Finance—Lawritson and Suess. Buildings and Repairs—Culbertson, Lawritson, Moore.

On motion board adjourned. C. W. BARNES, Secretary.

ARAPAHOE 1, MCCOOK 16.

ARAPAHOE 4, MCCOOK 5.

McCook took both games from Arapahoe Saturday. A high wind blowing across the grounds made fast playing almost impossible. The dust was so thick that play had to be stopped a number of times.

In the morning game our boys played good, steady ball. Three errors were marked up against them, one of which resulted in Arapahoe's lone score. George Green pitched good steady ball but his support was very ragged. He struck out 8 men, but allowed 16 hits, which coupled with about as many errors, were enough for 16 runs. Amsden pitched splendid ball, having 17 strike outs to his credit, and allowing two hits. Allen was the leading hitter and run getter, scoring every time he went to bat and making 4 safe hits. Kennedy was next with 3 hits. Meeker was the only man that did not hit Green at least once.

The afternoon game was much harder fought, but was marred by wrangling with the umpire. Prime pitched good ball and had his support been better the score would have been closer. He allowed only 3 safe hits, one a three-bagger by Kennedy. Kennedy scored three of McCook's 5 runs. Wild pitching by Prime let him score twice from third. Dorwart let Arapahoe down with two safe hits, but a few errors and several bad decisions by the umpire let them score four times.

Morning game by innings: Arapahoe . . . 0 0 0 1 0 0 0 0—1 McCook . . . 0 1 1 5 3 3 0 3 0—16 Batteries: Arapahoe, Green and Curry. McCook, Amsden and Allen

Afternoon game by innings: Arapahoe . . . 0 1 0 0 2 0 0 0 1—4 McCook . . . 0 0 2 0 1 1 1 0 0—5 Batteries: Arapahoe, Prime and Curry. McCook, Dorwart and Emerson.

Same at Our House.

Whether we do or whether we don't get the school Holdrege has been benefitted by the effort to establish an agricultural school in southwest Nebraska. The school is the thing and while the benefits will come slower to the community which fails to land the college the benefits will nevertheless be far reaching and southwest Nebraska will be much the gainer no matter where the school is located. It takes courage and takes time and money to do what the Commercial club of Holdrege did for this section of the state and we are confident that credit will ultimately be given where it is due.—Holdrege Progress.

Inviting R. R. Boys. McCook, Neb., May 8, 1911.

To Railroad Men — As a railroad man of the McCook division of the C. B. & Q., you are personally and cordially invited to attend the railroad men's third annual picnic, to be held at Cambridge, Neb., June 29th, 1911.

Remember the latch string hangs on the outside. Bring your relatives and friends and assist in making this a most enjoyable event.

Special trains and eminent speakers. A royal good time assured. By Order of Committee.

Car of Old Ties Burns. Saturday night a box car loaded with discarded ties was destroyed by fire in the McCook yard. The car was a condemned one and the ties discarded so the damage was but minimal. The car was located in the east end of the yard beyond the wagon viaduct, hence was beyond reach of the city fire department. The company's fire service in the local yard does not extend that far east. The department responded, however, to the alarm.

Mothers' Day Observed. Special services in the Methodist church Sunday morning, and special evening services at the Congregational church marked the day in McCook. The old soldiers were guests at the morning service and several lodges of the city the evening service. Both were well attended. Many white flowers were in evidence, and the churches were appropriately decorated. Fitting service was also held at the Baptist church.

Buy flower, field and garden seeds from H. P. Waite & Co. Their seeds are reliable.—9-1f.

Three box cars on freight 77 from the east burned up in the Wray yard at about 2:00 o'clock. Tuesday morning, and two boys or men who were undoubtedly stealing a ride, lost their lives. The cars caught fire after the train left Laird, and the train crew rushed the train to Wray, cut out the cars and shoved them to a siding, the blaze having gained such headway by this time as to make fighting it impossible.

Two of the cars were loaded with mill machinery destined for some big planing mill west while the other had on a miscellaneous cargo of an inflammable nature, partially barrels of oil, and when this caught it seemed but an instant according to those who saw it, until the entire car was a mass of flames rising higher than the coal chutes. It was in the ruins of this car that the remains of two persons were discovered, and the people were horrified at the gruesome sight. The bodies were burned to a cinder, one having nothing but the shoulders and part of the arms and neck left to distinguish it, while the other was nearly the entire trunk.—Wray Ratler.

Succeeds Bishop Bonnacum. Rome, May 11.—Announcement was made at the vatican today that the Right Rt. Mgr. J. H. Tihen, chancellor of the diocese of Wichita, Kas., had been appointed bishop of Lincoln, Neb., in succession to the late Right Rev. Thomas Bonnacum.

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