

SIGMA DELTA CHI WINS \$20 SUIT

(Continued from Page One.)
restriction had been placed on the powers of the committee or of its chairman. Lloyd Marti, defence attorney, objected to the questioning

of the witness at several points with Judge Dodd sustaining the objections in most cases. At one point Marti said, "I object to his repetition." The court had to be called to order to quell the laughter.

Crowd sentiment was evidently strongly for the plaintiff. Cheers greeted remarks favorable to Sigma Delta Chi while hisses were heard throughout the evening at questionable statements of defense witnesses.

Plaintiff attempted next to establish copy from the Daily Nebraskan as evidence with Lee Vance, managing editor of the Nebraskan, as testimony. Court refused to accept the copy as evidence on Attorney Marti's objection that it was only hearsay.

Frandsen Next Witness

Julius Frandsen, a member of both the University Night committee and Sigma Delta Chi, was next called to the witness stand. Frandsen testified that he saw the story on the prize submitted to managing editor of the Daily Nebraskan and claimed that he could identify the prize submitted to the managing editor as to the essential facts.

At this point Royce West was recalled to the stand for further cross-examination. He claimed during this examination a discrepancy between the statements of the Daily Nebraskan in regard to the offering of the prize and the actual conditions. The Daily Nebraskan quoted West as saying that a prize was to be given for the best skit submitted. He

claimed that it was the understanding of the committee that the prize was to be awarded if the skit was presented by Pi Epsilon Delta, national collegiate players. Attorneys for the plaintiff questioned him as to why he had never objected to the statements published in the Nebraskan as being false. The cross-examination was broken off when West was asked, "What share in the proceeds from University Night do you get?" Attorney Marti objected and the objection was sustained.

Nelson Takes Stand

Paul Nelson, a Nebraskan reporter next took the stand. He was asked, "Are you a reporter on the Daily Nebraskan?"

"Yes."

"When did you take that office?" "It isn't an office as yet."

Nelson was handed a sheet with a news story on it and asked if he had seen it before. "Yes," he replied, "In substance at least it is the story that West dictated to me at the Nebraskan some time ago." Marti objected to the story as evidence as the plaintiff hadn't established where it came from. The objection was sustained. Attorney Craig then took the floor to question the accuracy of a new reporter such as Nelson had admitted he was at the time.

Hunt Next Witness

Joe Hunt, a member of the University Night committee when called to the stand testified that he was not present when the committee decided to offer a prize nor when it voted on who should receive the prize, so was dismissed.

Edward Morrow, another member of both contesting organizations, took the witness chair next. Morrow said

he was present at the meeting when the committee voted to offer the prize. He said that in his understanding the \$20 was to be given to the best skit submitted; that there was no limitation placed on the offer except the date. Craig interrupted him to remind him, "Remember that you are under oath to tell the whole truth and nothing but the truth," which brought another gale of laughter from the audience.

Frandsen Recalled

Julius Frandsen was recalled to the stand after Mr. Morrow's testimony. He admitted that he was chairman of a Sigma Delta Chi committee to write the skit and that the skit was submitted to the University Night committee.

Lee Vance was recalled to the stand again and testified that Royce West gave him information as to the winning of the prize. When questioned, he said that West had told him to put the announcement in the Nebraskan.

In cross-examination the evidence showed that "West never objected to the story until the question of not paying the money came up."

Defense Calls Jones

Defense opened up their case with Merle Jones on the witness stand. He testified that it was understood in the committee that the group winning the prize were responsible for getting Pi Epsilon Delta to present the skit. In the give-and-take of the next few witnesses, it was admitted that no objections had ever been made to the published report of the

University Night Committee's offer. West on appearing on the stand again admitted that he had taken the skit to Herbert Yenne to see about getting it produced. Attorney Elster asked West, "Was there any provision for profit to you if the proceeds passed a certain amount?"

"Yes."

"Did the proceeds reach that amount?"

"Yes."

"Then if the defense wins, you will win \$20."

"No, only about \$10."

Craig Argues West's Advantage

Attorney Craig tried to show at this point that West had an advantage to be gained by Sigma Delta Chi's winning the case, also because of reduction of assessments.

Ethelyn Ayres repeated the testimony of Merle Jones in large. Elice Holovtchiner was called by the defense but was not present. Merle Jones reappeared on the stand to testify that no formal vote on awarding of the prize had ever been called.

Herbert Yenne then took the stand for the plaintiff. Asked if the skit was submitted with the idea of producing it, he said, "Oh, yes, without a doubt." He added, "I understood last year that the Players would present the prize-winning skit annually. The University Night date was changed and I sent the skit back to West with regrets that we couldn't present it at that time."

Recess Follows Testimony

A recess followed the closing of

the testimony after which Elster summarized for the plaintiff, Marti for the defense, and Vette closed the arguments for the plaintiff.

Attorneys for the plaintiff were Fred Vette, and Richard Elster. Attorneys for the defense were Lloyd Marti and Robert Craig. The jury was composed of Stedman French, Arthur Sweet, Emerson Mead, James Jensen, Richard Vette, Glenn Buck, Alice Johnson, Eloise MacAhan, Lincoln Frost jr., Tom Elliott, Ernestine McNeill, Esther Zinnecker, and Ruth French.

lars, while if Sigma Delta Chi won he would also be ahead the amount of an annual assessment.

One of the main points of Sigma Delta Chi's case was lost when the testimony of W. F. (Doc.) Jones, Jr., of the Cornhusker, was thrown out as irrelevant.

Dr. E. M. Cramb, U. of N., '99, Osteopath, Burlington Bld. 13th & O St.—Adv.

HIGH SPOTS OF THE TRIAL

At the opening of the trial the jury was composed of fourteen members of the Student Council, but after the recess there were only thirteen. One of the jurors did not return in time to hear the attorneys sum up their cases and was not allowed to vote in the final decision.

V. Royce West had his finances well examined. It was discovered that if the verdict was given to the Y. M. C. A. he was winner about ten dol-

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It stands to reason, when you think it over. What except the design, or cut, of a suit can give it the easy swagger, the clean-cut distinction, that men call "smart"? Fabrics are important, of course. For instance, it's important to know this Spring that light colored fabrics are much in favor. If your hair is dark, you'll do well to choose a tan or light gray fabric for the Spring suit. If your hair is light you may want to go to a medium brown, an oxford, or blue. But after all, fabric can make a good-looking suit only if the cut is right. Our advice to the young man who wants his clothes to be really distinctive is this: See that the suit you buy is correctly cut. You'll be certain it is, if you choose
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