

LUTHERAN PICNIC GIVEN ACCLAIM

The Lutheran students picnic held Friday evening at the Auto park was a successful affair, if the enthusiasm of those in attendance is indicative of success. The thirty or more persons who went to the picnic did a number of things to amuse themselves after the picnic supper had been served shortly after six.

Librarian Doane Goes East for His Vacation

Dr. Gilbert H. Doane, head librarian at the University of Nebraska, left by motor last week end for Newport, R. I. and Bar Harbor, Me., where he will spend his vacation. He plans to remain until Sept. 10.

Irrigation Official Confers With Condra

E. T. Gilles, war department engineer, was a visitor at Dr. G. E. Condra's office last week, discussing Platte valley water question.

LOST: Red Parker fountain pen with clip, gone in or between Andrews, Social and Teachers, July 17. Reward, F6164, 1300 South Twenty-third.

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Primary, August, 12, 1930

POLITICAL ADVERTISEMENT. POLITICAL ADVERTISEMENT.

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 payment of 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, or 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 by 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

POLITICAL ADVERTISEMENT. POLITICAL ADVERTISEMENT.

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 or 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,

(Continued on Page 4.)