

Nebraska URGES STATE OWES SALARIES

L. H. Tate of Omaha and H. F. Dowling of Grand Island Seek Cash.

UNDER BANK GUARANTY ACT Allegation Made Payment Must Be Forthcoming Under Appointment While Law Was Held Up in District Court.

(From a Staff Correspondent.) LINCOLN, Neb., Oct. 21.—(Special.)—Arguments in favor of allowing salaries to L. H. Tate of Omaha and H. F. Dowling of Grand Island for the time when the bank guaranty law was held up in the courts during which time the men were appointed to serve as bank examiners were heard by State Auditor Barton and the matter taken under advisement.

In case the auditor decides against the claimants they still have the right to appeal their cases to the district court. The Omaha man has filed a bill with the state for \$2,875, while Mr. Dowling asks for \$3,000. The latter alleges that he held his office for two full years until July 2, 1911, while Mr. Tate says he resigned his non-paying place when he had learned that the supreme court had upheld the law under which he was appointed.

Neither of the men deny that they have earned money in other pursuits since they were appointed to the \$3,000 a year jobs under the guaranty law, while the attorneys for the two men aver that it matters little if state officials are away from their posts half the time, or that they perform their duties a portion of the time or that they attend to business but little or that they earn money "on the side."

The mere fact that the appropriation was provided, for they say, and that the men were appointed for the place, is sufficient to make the state liable for the salary of the men they maintain.

Appropriation in Force. The attorneys further argued that the two bank examiners who never examined any banks cannot be shut out because the appropriation to pay them lapsed August 30, 1911, and their claims were not presented to the state until September 30, 1911. The attorneys allege that the constitution of Nebraska makes a distinction between appropriations for expenses of the state government and salaries of "officers of the government."

They contend that the constitution does not set any time limit on the time of drawing of salaries from the treasury. They admit that the constitution requires that the obligation incurred by the state must be incurred during the biennium, or within three months after the legislature adjourns, or appropriations lapse. This the supreme court of Nebraska has held, allege the attorneys.

Attorney General Grant Martin was present to hear what the lawyers had to say. He will act as the advisor of the state auditor. He intimated that as the work of bank examiners was done under the old law while the new law was being held up and was done by five examiners instead of by seven appointed by Governor Schallmeier it was possible that no indebtedness had been incurred by the state and that the remainder of the salary appropriation not drawn by the five examiners need not be paid to the two examiners who were prevented from working.

Claim of Prof. Galin. State Auditor Barton is holding up a claim presented by Prof. Galin of the department of pathology at the state farm and in which that official desires pay for serving as a member of the newly created board of registration for salaried positions. Auditor Barton contends that the state should not pay for duty at the state farm and as a member of the state board at the same time.

The supreme court in a decision rendered some time ago gives it as their opinion that such claims can be paid. Hearings by Randall. State Fire Warden Randall has announced that he will hold hearings at Schuyler, North Bend and Millard October 28, at Fremont October 16, and at Madison October 31. On these dates persons who have been notified to remove unsafe buildings will have an opportunity to be heard.

Delivered Back from Topeka. State Superintendent Deltell has returned from Topeka where he attended a meeting of state superintendents. At this meeting the state superintendents present adopted the Salt Lake committee's recommendations in regard to certification of teachers and reciprocal relations between states.

FREMONT FESTIVAL PAYS WITHOUT ANY CARNIVAL 'FREMONT', Neb., Oct. 21.—(Special Telegram.)—The committee which had charge of the arrangements of the Fremont festival, held here last month, have got their affairs all fixed up and have \$174 in the treasury after paying bills. The festival was conducted without any street fair or carnival attachment, the attractions being day-light and evening parades and high-class free shows at intervals at street corners. The result, financially, was a surprise to those who believed a street carnival necessary to raise money to pay the bills.

CUMING COUNTY NEWS NOTES Double Wedding at Church in Neligh Township—Mrs. Bert Harrison is Dead.

WEST POINT, Neb., Oct. 21.—(Special.)—A double wedding was solemnized at the German Lutheran church in Neligh township on Thursday, by Rev. William Harms, pastor. The contracting parties were Adolph Miller and Minnie Struck, Mr. Miller's spouse, and Miss Ida Altemeyer and Mr. Struck was united to Miss Ida Altemeyer. The young people are residents and natives of this county, and reside in Neligh township, where they will make their future homes.

News has reached this city of the marriage, at Scotts Bluff, of George Elquest and Miss Elsie Lane, a former teacher of Cuming county. Mr. Elquest is a hardware and furniture man of Scotts Bluff, and the newly married people will make their home at that city.

NEWLY ELECTED PRESIDENT OF NEBRASKA LIBRARY ASSN.



MISS NELLIE COMPTON.

CHARGES MADE AGAINST 'BUFFALO COUNTY JUDGE'

KEARNEY, Neb., Oct. 21.—(Special.)—Charges have been made against County Judge F. M. Hallowell, through a newspaper article in the morning daily, that excessive fees have been collected by him from litigants in his office. Later in the week the county attorney was instructed by the county board to investigate a number of criminal cases in which the county was interested. County Attorney E. H. McDermott and Attorney Warren Pratt were appointed to make a report.

This report was given to the board Thursday and the investigators reported that in the ten cases cited a total overcharge in fees of \$46.80 had been made, according to their understanding of the statutes. Mr. Hallowell was called before the board to explain and to appear, but asked for time to acquaint himself with the report of the special committee. This was granted and Friday afternoon he sent the board a written statement, in which he says that as he could not profit by collecting illegal fees, the county receiving considerable excess fees from his office, he had only done his duty as he saw it. He further objects to a hearing unless it be before a tribunal that has jurisdiction to determine what a proper fee should be.

Notwithstanding, the board today authorized the county attorney to look into other cases, both civil and criminal. The outcome of the whole matter is watched with great interest, as some people think the whole deal was started by political opponents, as Mr. Hallowell is a candidate for re-election. No malfeasance is charged.

FOREMAN JONES GETS BACK AT CUSTER SUPERVISORS BROKEN BOW, Neb., Oct. 21.—(Special.)—The board of county supervisors, in session this week, took one day off for practical joking and got back at it for very practical manner. Taking Contractor Shurt into the confidence, they cooked up a job on Foreman Jones, of the court house construction force, to the effect that his bill for material was out of all proportion. The foreman was called on the carpet and given a dressing down by Chairman Morris and the other members helped along in the good work by telling how much cheaper the stuff could have been bought. Jones stood it at first with stoical calm, then commenced to sweat. Finally he was informed that a box of good cigars presented to the board would probably straighten matters out. At this juncture, he saw a great light. Going down stairs he purchased a box of cigars and after substituting part of the first layer with loaded ones, sent them to the supervisors. All ten themselves. Supervisor Heady took two, went outside, gave one to County Judge Holcomb and the other to County Prosecutor Beal. The judge had only taken a few puffs when there was an explosion and he was minus a cigar. Mr. Beal had a like experience, while Supervisor Anderson, it is said, nearly jumped out of the window when his cigar went off. At present, those cigars seem to have the smoking members of the board "buffaloesd," for each one is waiting for the other fellow to make the first dip into the box.

OSCEOLA COUPLE CELEBRATE THEIR GOLDEN WEDDING OSCEOLA, Neb., Oct. 21.—(Special.)—Friday the friends and neighbors of Mr. and Mrs. John G. Rhodes celebrated the golden wedding of the couple in an appropriate manner, the gathering being held in the Grand Army hall. The program commenced at 12 o'clock, noon, when Mr. and Mrs. Rhodes were marched into the hall and reunited in wedlock, the ceremony being performed by Rev. Mr. Wilcox of the Methodist church. Several talks were made by members of the grand army post.

The couple were united in matrimony in Michigan, removing to Nebraska later. Fourteen years ago they came to Osceola and this has been their home since that time. They are the parents of several children, but only two were present at the celebration today: a son, George Rhodes, Jr., of Osceola, and Mrs. Stanley Van Hoesen of Omaha.

After a wedding dinner and a pleasant afternoon the guests wished the couple many pleasant returns of their wedding anniversary.

GOVERNOR ALDRICH SPEAKS IN CENTRAL CITY NOV. 1 CENTRAL CITY, Neb., Oct. 21.—(Special.)—Governor C. H. Aldrich has just notified the local republican committee that he will accept their invitation to address a public meeting here on the evening of Wednesday, November 1. This will probably be the only large republican meeting in Central City before the campaign, and elaborate preparations are being made to make it a red letter affair.

Bank at Arnold Changes Hands. CALLAWAY, Neb., Oct. 21.—(Special.)—The Peoples State bank of Arnold has changed hands, the business and good will of the institution passing into the hands of Messrs. W. H. and H. B. Jennings of Davenport, Neb. The Peoples State bank was established about two years ago by John Frederick and John Frederick, Jr., president and cashier, respectively of the Farmers State bank of Callaway, and was under the management of assistant Cashier Charles Frederick, who will remain with Messrs. Jennings until they become acquainted with their patrons.

Nebraska Supreme Court Refuses to Advance Donahue Case

(From a Staff Correspondent.) LINCOLN, Neb., Oct. 21.—(Special Telegram.)—In the outer court of the state against Chief of Police Donahue of Omaha, the supreme court overruled a motion of the state to fix a time for filing briefs, the court holding that the rules of procedure are the same as in common suits at law. This ruling means that the state may have till November 8 to file briefs, after which Donahue's attorneys have thirty more days to file briefs for their side. The case will then go on the call and be argued at the sitting of the court late in December.

SUSPECTS HELD AT CENTRAL CITY ROBBED STORE AT ABRE CENTRAL CITY, Neb., Oct. 21.—(Special.)—After Sheriff Hies had detained the men whom he picked up near Silver Creek, last Monday, with a large bundle of new dress goods and a woman's cloak in their possession, in hopes that he could discover where they got the goods, he finally decided that he had not sufficient cause to hold them, and turned them loose Thursday. Shortly afterward he received a message from the sheriff of Butler county stating that there had been a burglary at the town of Abre, in that county, the week before, and that goods similar to those found in the possession of the men had been taken. The sheriff at once got busy, and late in the night located the men in an old barn in the outskirts of town and took them into custody again. The sheriff and the storekeeper from Abre arrived last evening, identified the goods, and the men were taken back to David City to face the charge of burglary.

High Prices for Poland-Chinas. CENTRAL CITY, Neb., Oct. 21.—(Special.)—The sale of high class Poland-Chinas held here yesterday was the largest blooded stock sale from point of attendance ever held in Central City. The hogs were the property of R. B. Baird and many of them were prize winners and the got of prize winners at the last state fair. Buyers were here from all over Nebraska, and from Iowa, Missouri and Kansas. An unnamed spring gilt topped the sale, being purchased by H. M. Holford of Manning, Ia., for \$125. Another gilt brought \$112.50.

YOUNG BAD MAN WAS TAMED What Happened to Jake, the Wild Man with a Gun, from Arizona. "Hazing is not what it used to be," a University of Illinois professor said recently. "During my days in school such tricks as ducking, hair cuts and the like were only play for girls. True hazing has reached a decided extreme since then, but we had more real fun than they do now by far."

"A wild sort of young fellow came into our little Ohio university from Globe, Ariz. We will call him Jake, as he insisted on a moniker almost as bad, and, of course, we accommodated him. Jake was 'bad medicine' for sure and besides 'telling' a gun assured several of the fellows who had been quizzing him that he would use it if we ever attempted to pull off anything with him.

"Of course we were all nearly scared to death, I guess not, and then and there we decided we would make things hot for Jake and his ideas. He carried his freshness into the classroom and would chirp up and ask a question about some subject that had been passed for five or ten minutes. Then again he went without a hat and that always made us feel sore, so we thought first of taking Jake out for a real good hazing, but later on decided we thought it would be better to make him feel cheap for his display of firearms and his altogether too fresh ideas.

"We had an old farmer that we used in our little game, and I'll wager he is still baiting the game for students if he is alive. "Our scheme was to rob a hen roost (the farmer's hen roost) and we also allowed the victim the honor of stealing the birds, while we watched. While we were watching Mr. Farmer would come out, catch our victim in the joke and with an old rusty fowling piece would nearly scare the life out of the chap in the coop.

"I took several days before we got friendly enough with Jake to let him in on the game, but when we proposed it he fell like a sucker. He made sport of the same sort of game we had to content ourselves with and told us of big things they used to do in the west.

"We started out to the farmer's place about a half mile from the athletic field, with Jake well in front, making things hot from the house we stopped and made our plans. I went with Jake up to the coop and was to stand watch while he got the fowls. We told him we usually carried away at least five chickens when we were doing the stealing, which staggered him for a minute, but he said he guessed he could do anything that the rest of us did and he slipped into the coop.

"He was doing good work, for he was quiet as a mouse, when our friend, the farmer, put in an appearance. In fact, he and I talked a few minutes as to the best way to head Jake and he decided after what we had told him that Jake should take a big long hike in the open country, as it would do him good.

"At the alarm I opened the door and yelled to Jake. He dropped his fowls and made for the door. The farmer was coming from the house and left Jake only the path down the lane and out into the country as a race course. The farmer fired and Jake went down the patch so fast we could hardly see him, yelling at the top of his voice and begging the farmer not to shoot.

"We all stood around before we started back, when someone suggested we better walk out the lane, as the hid might have hid himself to death, and it was lucky we did, too. We walked more than a mile from the house, and there, lying in the lane, his breath coming in short gasps, was the 'terror of the west.' He was so weak he could scarcely talk when we reached him. We bathed his face with water and half carried him back to town in a roundabout way.

"Jake cried all the way home and showed us that he was the biggest baby we had ever known. We left him in a ramshackle old barn in the outskirts of town and told him that the farmer knew him and he had better stay there until morning. He was so afraid he wouldn't stay alone in the barn until we pushed him in and closed the door, telling him that he had to stay there and one of us

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