

MAKES REPORT OF 1928 FIRES

Nebraska Official Tells Governor 79 Deaths Were Toll of the Year

LINCOLN, NEB.—(UP)—Fires throughout the state last year caused 79 deaths, and injuries to 143 persons. John C. Trouton, state fire marshal reported to the governor in his annual report. A total of \$2,661,853 damage was done to buildings and to contents of buildings, the report stated.

The deaths were divided as follows 41 men, 23 children and 15 women. Eighteen fatalities were caused by starting fires with kerosene and 15 were caused by gasoline explosions. Playing with matches took a toll of 10 and electricity caused 9 deaths.

Of the 143 injured, 74 were men, 38 were women and 31 were children. Gasoline explosions led the list of causes with 42 injuries. Starting fires with kerosene was given as the cause of 18 accidents and kerosene explosions caused injuries to seven while seven firemen were burned fighting fires.

The total value of the building affire last year was \$28,773,125 and the total value of the contents was \$11,192,268. The buildings were insured to the extent of \$811,912,268 and their contents were insured to the amount of \$9,948,056.

There was a total of 1,405 fires during the year, the report said. Of this number, 290 were caused by sparks from chimneys and 96 were caused by overheated stoves and furnaces. Electric curling irons and flatirons were responsible for 18 fires and motors backfiring was listed as the cause of 12 blazes.

Two Omaha "hootch" stills overheated and caused fires and smoking in bed caused seven. Mice and matches caused seven blazes and the careless use of matches by persons was the cause of 18. Thirty-nine fires were accredited to the use of cigarettes, cigars and pipes.

POWER CONCERN LOBBY WINNER

Municipal Plant Plan Said to Be Directed by Elective Equipment Concern

LINCOLN, NEB.—(Special)—The power trust lobby, as it is designated by the lobby which has been backing the legislative program of the Nebraska league of municipalities, has apparently won out in what has been one of the hottest fights of the session, off the floor, and in which members have been button-holed to the limit.

The power company representatives have loudly proclaimed that the league is but a name used by Fairbanks, Morse and company, manufacturers of electrical equipment, to advance their business interests, which lie almost wholly with the municipal plants. It also has a financing department, and has been conducting a vigorous campaign to induce towns to buy equipment from it under contracts that do not call for payment until the net earnings have wiped out the debt incurred, it is asserted.

The league program covered a number of phases of the business, all of them dovetailing to the end that the power companies might be prevented from buying any more of the smaller municipal plants. In addition to this it was proposed to allow the towns having municipal plants to run transmission lines out 25 miles in each direction, and in this way supply farmer demand and also sell to towns at rates lower than they can make current, just as the power companies have been doing. The plan has been criticised as a covert attempt to link up all the municipal plants in such a way that eventually it would be a state power company.

As the bills come out of the house committee the distance municipal plants may build out into the country is cut to 10 miles, and in the construction of such lines the towns may not enter into contracts to pay for them out of future earnings, but must follow the accustomed methods of submitting the question to a vote of the people and selling bonds to pay the cost. This practically kills the plan, as the distance fixed will take care only of rural demands and will prevent a linkup of municipal plants, and as it will be an almost impossible task to get voters in a town with a municipal plant to build out into the country, there being no profit now in supplying farmers because of their small demand expressed in terms of amount of current used.

The senate spent most of Wednesday on similar bills, and as they were finally advanced several contained the same provisions as in the house bills. Another bill advanced was fought unsuccessfully by the power interests. This requires a 60 per cent vote of the people to lease a municipal plant to anyone or to buy current from an outside source.

DYNAMITE CAP EXPLODES AND GIRL LOSES FINGER

MORRILL.—(Special)—All of the fingers on her left hand with the exception of thumb and forefinger were lost by Lola Johnson, 10 years old, daughter of Mr. and Mrs. G. R. Johnson when a dynamite percussion cap exploded in her hand. She found the caps lying in the ditch behind the school house. A number of playmates were found to have the caps also. Hers blew up when she picked it with a pin. Workmen are supposed to have left them there.

ASKS COURT TO UPHOLD DEATH PENALTY VERDICT LINCOLN

(UP)—Pointing out that premeditation and malice were proved in the conviction of Morris Swartz before he was sentenced to die in the electric chair, Attorney General Sorenson asked the supreme court Thursday to uphold the verdict of the Douglas county jury.

SEED POTATOES ARE IN DEMAND

Nebraska's Crop of Certified Stock Nearly All Deposed of Last Year

LINCOLN, NEB.—(UP)—Nebraska certified seed potato growers produced 16 per cent less certified seed last year than in 1927, and of the 152,400 bushels certified all but 2,400 bushels were of the Triumph variety, says the state and federal division of agricultural statistics. Production of certified seed in the United States last year set a new record in 10,365,087 bushels, which was 45 per cent more than the 1927 crop and 35 per cent larger than the previous record production of 1924.

Nebraska production for the last four years has been 121,200 bushels in 1925, 60,200 in 1926, 181,500 in 1927 and 152,400 last year. About two thirds of the 1928 crop was sold early at contracts approximating \$1.80 per bushel but later bids were 90 cents, f. o. b., shipping point.

There are 21 states producing certified seed potatoes and all but 8, of which Nebraska is one, showed a marked increase in harvest of certified seed last year. Prices generally were 50 cents per bushel lower than in 1927 and 75 cents per bushel lower than in 1926 when the total United States production of certified seed was but 5,081,708 bushels. The five leading varieties in number of bushels certified last year were Cobbler, Green Mountain, Triumph, Russet Rural and Spaulding and Rose.

DENIED RIGHT TO SUE STATE

Attorneys Seeking Return for Depositors in Closed Banks Are Balked

LINCOLN, NEB.—(UP)—Denied their request by the house claims committee for the right to sue the state for \$2,215,000 of the bank guaranty deficit, Attorneys Clinton Campbell, of Lincoln, and William J. Holz, of Omaha, have not determined what will be their next step.

Attorney General Sorenson told the claims committee, which Thursday night denied the attorneys' request, that legislative action is needed before suit can be brought against the state. The attorneys have intimated, however, they will bring suit in district court even though they fail to gain legislative sanction.

The claim is made on the ground that the state failed to levy the full amount of the assessment against the bankers during 1921 for 1924 to pay losses in the bank guaranty fund.

FORMER GOVERNOR'S WIFE HEADS NEBRASKA D. A. R. FREMONT

(UP)—The twenty seventh annual conference of the Nebraska Daughters of the American Revolution was to close Friday with the selection of next year's conference city and completion of business matters. Mrs. Adam McMullen, of Beatrice, wife of the former governor, was elected state regent to succeed Mrs. York Hummer, of North Platte. Other officers elected are: Mrs. E. H. Westcott, of Plattsmouth, vice state regent; Mrs. H. J. Czrey, of Kearney, recording secretary; Mrs. Fred Lwird, of Fremont, auditor, and Mrs. R. E. Knight, of Alliance, registrar.

BUS LINE OPERATOR HITS FINANCIAL SNAG

LINCOLN.—(Special)—Mrs. Ida N. Bartunek, who has been operating bus lines between O'Neill and Sioux City, O'Neill and Grand Island, O'Neill and Valentine and Valentine and Chadron, ran up against a legal snag before the state railway commission, where she had made application to turn the property over to a corporation the Pioneer Bus line that she organized, and have it issue \$10,000 worth of stock. She said she had invested more than that sum in the plant and that a considerable part of the money had been lost through operation and depreciation of the four cars used.

The commission held that it was restricted, under the law, to accepting as the value upon which securities may be used the present fair value of the tangible property, plus a reasonable sum for goodwill and going concern value, which it fixes at a total of \$2,500. It finds that the buses themselves are not worth much more than the incumbrance of \$1,200 against them. In allowing \$2,500 of stock to be sold at 85 cents on the dollar, the commission requires that this incumbrance be paid off.

YORK PREPARING TO DEDICATE ITS AIRPORT

YORK.—(UP)—With contract for equipment and lighting fixtures for the York airport let, local aviation enthusiasts are preparing for a formal dedication of the field sometime in April.

The New Tight-Fitting Hipline



Only infrequently does a model so attractive as the above come out of the ateliers of the Paris dressmakers. It shows the new glove-fitting hipline in a creation of beige crepe designed for street wear. The rope of pearls adds a distinctive touch.

Boulder Dam After Six Years

After six years of slow grinding in the national legislative mill, Boulder dam has moved rapidly in the last month. Shifted from Boulder canyon to Black Canyon on the Colorado river by the special engineering board's report, it has struggled through both houses of congress, made its way through both Houses of congress, made its way through the bureau of the interior and the secretary of interior's office, and finally passed the White House portals.

The president's signature was just made a law of the Swing-Johnson bill, embodying this most ambitious of all projects for harnessing a river. Carrying an appropriation of \$165,000,000 to build a vast system of flood control, irrigation and hydroelectric works, this measure is designed to open a new era of development in the southwest.

As amended by the Senate and approved by the House, the bill meets many of the objections raised against the original measure. It provides a more adequate sum for construction and puts the burden of repaying the cost of the anti-American loan upon the water users benefited, instead of upon revenues from the power plant to be erected near the dam. Also it makes a more equitable division of water between Arizona and California, allotting 2,900,000 acre-feet annually to the former and 4,000,000 to the latter, against 4,000,000 in the earlier bill.

Congress sidestepped a decision on the most debated feature of the measure—whether the power plant should be built and operated by the government or by private enterprise. The bill leaves this question to the secretary of the interior, thereby greatly increasing interest in Mr. Hoover's selection of a man for that post. It can reasonably be argued that determination of governmental policy such as is here involved belongs more properly to congress.

This loophole for federal operation offered the only likely ground for a veto by President Coolidge, who had insisted repeatedly that the government should not "go into business." The next hurdle the project must surmount is the possible failure of six of the seven states in the river's basin to ratify the Colorado river compact—as required by the bill. At present Utah and Arizona are standing out. Furthermore, Arizona has indicated she will carry out her protest against federal allotment of her water and power resources into the courts. Legal opinion is divided on the merits of this issue and final adjudication is likely to be obtained only by tedious litigation. Apparently Boulder dam still has a long way to go, and great efforts will be made to conciliate Arizona and obtain her co-operation would have smoothed the road it must travel.

Capper's Embargo

If the Kellogg multilateral treaty was a gesture toward the League of Nations, what can be said of the Capper embargo resolution except that it is the spirit and virtually the substance of the league covenant itself? It provides sanctions against any nation violating the treaty, and that was one of the provisions in the league covenant that kept this country from ratifying it.

Senator Capper's plan is meant to buttress the Kellogg treaty. It is meant to force the signatories to keep faith with it. The Capper resolution reveals that those advocating it recognize that the signatories won't keep faith with it unless they are forced. The resolution would apply the necessary force by the embargo method, which is an economic sanction. It would authorize the president to deny the country of arms, munitions, implements of war or other articles for use in war, to any country that had violated the treaty.

This is nothing more nor less than Keeping on Top. From Answers. Clayton Co. friend who has got into financial difficulties: I see you still travel first class. Other: If I travel second class I meet all my creditors.

Q. How long have advertising mediums been used? M. T. A. Advertising is of great antiquity. Egyptian advertising over 4,000 years old has been discovered. Picture advertisements were used for the most part up to the time of and through the Middle Ages. The earliest newspaper advertisement is said to have been in Germany, 1591.

article 16 of the League of Nations. If no other result flows from Mr. Capper's logical enough effort to give the Kellogg treaty a substance it undoubtedly lacks, the effort, at least, goes to support the contention, made in the treaty debate that the treaty had no legs. Mr. Capper would supply the legs. If the treaty is to march it must march on the old familiar legs of league covenant sanctions.

Historically the embargo idea is not of a happy augury. Jefferson tried it and it prostrated this country's commerce. It started the first secession talk heard in American history. As written, the resolution involves the widest divergence of views as to what articles of commerce would be affected. "Other articles, for use in war" would seem to include about everything—food and clothing as well as munitions. American shipping would simply be put out of business, as it was under Jefferson's embargo. If this is what the Kellogg treaty is to lead to, they were good prophets who told us in the Senate debate that we were going into the League of Nations through the back door.

More Bureauists From Ohio State Journal

Compulsory liability insurance for all auto drivers is proposed in a bill pending before the legislature. The bill contemplates a state fund, administered by a board of three members to be named by the secretary of state, all drivers to make annual payments to the fund.

This is a bit of experimental legislation that should not be studied briefly or passed in a hurry. It is an excursion into new territory. It cannot be studied thoroughly this session and an effort to pass it should be made. There are sentiment and pity for the victims of auto accidents that have caused many to wish there might be a bill of that nature fashioned, but in Massachusetts, the only state that has tried it, the plan was not successful and today is an admitted failure in its present form.

No form of insurance should be based on sentiment, and no surge of pity in the human heart is justification for a costly experiment in that field. Insurance is a highly organized, scientific line of business that calls for the best ability in the country when a new field is being pioneered. Insurance is good only when it rests on a scientific actuarial basis. Insurance thus far has been written on selected risks. It is unsafe to assume records on selected risks can be duplicated when every applicant must be taken. It is the reckless and careless risks that make the trouble and cause the cost to mount higher.

The task of writing a workable measure of that sort may appear easy to those who view the field without estimating the factors of importance that enter into the venture. It is a task that has defeated the best insurance minds thus far. It is no task for a novice in the insurance field. Every auto in service should be covered, but the means for securing that desired result has not yet been found. After the lamentable failure in Massachusetts the lawmakers of Ohio should beware of daring the known and unknown dangers in that field. Let that bill die.

Q. What was a masque? L. J. E.

A. A masque was a species of dramatic entertainment which reached the highest popularity in the reign of James I, but which also was a favorite diversion at the courts of Henry VIII and Elizabeth. The masque probably grew out of the "mummings" which are heard of in England as early as 1377. Masques were commonly played before royalty and the nobility. The Rev. Ronald Bayne, writing of the masque says: "Essential masque was the appeal of the moment to the eye and the ear, the blaze of color and light, the mist of perfumes, the succession of rapidly changing scenes and tableaux crowded with wonderful and beautiful figures."

Playing Hokey. From Answers.

First Youth: So you aren't going to marry that school teacher? Second Ditto: No, I couldn't show up one night and she wanted me to bring a written excuse signed by my parents. Q. How many men did John Sullivan knock out in his tour of the country in 1893? J. A. R. A. In September 1893 he made a tour of the United States lasting about 9 months, during which he offered \$1,000 to any man he could not defeat in four rounds. During that time he knocked out about 50 men.

FOUR HELD FOR ASSAULT ON PROHIBITION AGENT ALLIANCE

(UP)—E. Moyer, 35 years old, an Omaha undercover prohibition agent, was reported Tuesday to have been assaulted by four men at Hemingford Monday night after making an arrest. The men were alleged to have beaten the officer to unconsciousness, taken his gun and star and gone to Crawford where they were captured.

The four men taken into custody are Fay E. Clarke, 24 years old, professional prize fighter; William Irwin, Melville Burkett and Lyle Burkett. The assault was reported to have followed the arrest of M. Burkett.

DEMANDS RIGHT TO JURY TRIAL

Nebraska Woman's Appeal Carried to Supreme Court

LINCOLN, NEB.—(UP)—The right of defendants in liquor prosecutions to demand trials by juries in the lower courts of the state was argued before the supreme court Tuesday. Judge Proudfit granted, on application, a writ of mandamus asked for by Mrs. Katherine Garton, charged with illegal sale, requiring County Judge Fulton, of Fillmore county to give her a jury trial, as demanded, after she had entered a plea of not guilty, the judge refusing.

Judge Proudfit held to be unconstitutional that section of the liquor law which said that "magistrates and police courts are hereby vested with jurisdiction to try without jury all violations of this act and all ordinances wherein the penalty does not exceed a fine of \$100 or imprisonment for a period of three months." He said this was repugnant to the constitutional guarantee that the right to trial by jury shall be held inviolate.

Elmer E. Thomas, representing the Anti-Saloon league, appeared as a friend of the court. He said he had written the law and he explained the conditions which made it necessary. Attorney General Sorenson also appeared and said the matter was one which should be settled as soon as possible as judges throughout the state differed in opinions on it.

RETURNS WEDDING FEE TO BUY HONEYMOON GAS

Omaha—Imagine my embarrassment," a Lincoln, Neb. bridegroom sighed to Municipal Judge Sheehan, whom he had aroused from sound slumber after midnight to tie the knot, "when I discovered my car had no gas and that I had given you the last of my money."

Judge Sheehan was puzzled when, after he had performed the ceremony, he noticed the couple sitting in their parked car apparently making no effort to leave. After overcomng his qualms, the husband of a few moments returned, forced to sacrifice pride for the price of gasoline.

CLUB WOMEN TO MEET AT PLAINVIEW APRIL 3-4

PLAINVIEW.—The 26th annual convention of the Third district Federation of Women's clubs will be held here April 3 and 4. A program has been arranged by District President Mrs. S. T. Frum, of South Sioux City.

H. H. Wilson, an attorney of Lincoln, will speak on "America's Part in Promotion of World Peace." Prof. Newton Gaines, of the vocational training department of the University of Nebraska, and Judge B. S. Payne, Grand Island, also will speak.

PAYS \$125 AN ACRE FOR MAL'ON COUNTY FARM

MADISON.—(Special)—Albert Michaels has bought the farm of Mrs. John Scheer in Kalamazoo precinct for \$125 an acre. It consists of 40 acres, unimproved adjoining a tract of 80 acres owned by Michaels.

TO ERECT OMAHA MEMORIAL OMAHA

(UP)—Harry Lewis Raul, New York sculptor, will be engaged to erect a memorial monument for Omaha War Mothers' Memorial association, it was decided at a meeting here last night. Maul's design was selected after the mothers had considered work of several other artists. It will cost \$87,000 and represent a mother on a tall granite shaft with arms around a soldier and a sailor. Grouped about the lower part of the shaft will be General Pershing and war nurses.

UNIVERSITY ATHLETE IS HELD FOR TRIAL

LINCOLN.—(UP)—Newton "Red" Becker, former University of Nebraska trackman, was bound over to district court Tuesday on charges of assault with intent to do great bodily injury. He is alleged to have beaten a girl. He was taking to Omaha two weeks ago. Upon her return to Lincoln she filed charges against him and he was arrested in Omaha where he had said he was leaving to join the Illinois Athletic club which "was in need of a wood miller."

STOP ABUSE OF ORPHANED BOYS

Practice of "Adopting" Them for Farm Work Season to Be Halted

OMAHA, NEB.—(UP)—Rev. E. J. Flanagan, head of Father Flanagan's Home for boys here has renewed his campaign to stop the practice of farmers adopting orphan boys in the spring and turning them back to institutions when the fall farm work is done.

The campaign, started a year ago, has borne excellent fruit, but there is still much abuse, Father Flanagan said. "Small boys were never cut out to do the work intended for a grown man," Father Flanagan said. "Working them hard all summer and returning them to institutions, physical and mental wrecks is a most shameful practice.

"Some grasping persons would take a homeless, dependent child and work his fingers to the bone as a mercenary proposition, but with public sentiment against such practices once aroused, these cases are gradually becoming fewer and fewer."

SEEKING RIGHT TO SUE STATE

Attorneys of Depositors in Failed Banks Hope to Collect \$2,215,000

LINCOLN, NEB.—(UP)—Two lawyers, representing depositors in failed banks, will continue Wednesday their efforts to collect \$2,215,000 from the state.

The two lawyers, Clinton Campbell, of Lincoln, and William J. Holz, of Omaha, were to present arguments before the house claims committee in an effort to obtain permission of the legislature to bring suit against the state to recover the money. The claim was first presented to the state auditor who turned it over to the house claims committee.

In their first appearance before the committee, late Monday, the lawyers declined to concede that legislative consent is necessary and essential as a foundation for suit by bank depositors to recover the sum from the state, but they did admit such consent would be convenient to have.

Attorney General Sorenson, however, told the committee that legislative consent is necessary before suit can be brought against the state. The basis for the claims against the state is the contention that for four years, from 1921 through 1925, the state banking department failed to levy the full annual assessment against the state banks and the amount was not levied and should have been \$2,215,000.

Much of the testimony that has been presented in the Abie bank case, in which the state banks fought payment of the special assessment, was introduced into the committee hearing. If legislative consent is obtained to bring the suit and the depositors are successful, an appropriation would have to be made by the next legislature.

THINK THEY WERE SWINDLED BY IOWA PHOTOGRAPHER

BEATRICE.—About 75 Beatrice working girls who paid from \$3 to \$15 with orders for photographs taken by a traveling photographer have waited three weeks for their pictures and still are waiting. The photographer, who said he was from a studio in Des Moines, promised to have the pictures finished and returned within 10 days.

The girls have begun to wonder what is causing the delay. They told stories of being approached on the street by a Miss Catherine Herring, who said she was the photographer's assistant. She induced them to look over the man's work and after that, most of them were sold. "He took wonderful pictures," said one of the girls, "and almost all of us were pleased with the proofs and ordered pictures. We paid a \$3 deposit and some of the girls paid more. We were to pay the rest when we received the pictures. The price was \$10 for a half dozen and \$15 for a full dozen and the enterprising photographer furnished evening gowns for the girls to pose in."

WINNING ATTORNEYS LOOKING FOR PAY

LINCOLN.—(UP)—The five Lincoln attorneys who successfully attacked recently the investment by the Woodmen of the World in Globe Life company stock protested in the supreme court Monday against the proposal of three Omaha attorneys that Judge Sheperd of the district court fix a lump sum as payment for the attorneys.

The Lincoln attorneys said they were agreeable to having the record made so that the district court should fix the fees, along with a reasonable allowance to plaintiffs for expenses and costs, but they did not want any lump sum order.

ODD FELLOWS PREPARE FOR DISTRICT MEETING

VERDIGRE.—(Special)—Preparations are going forward for the annual meeting of the Niobrara Valley I. O. O. F. association, which will be held the last week in April or the first week in May, probably May 2. The association will meet in Verdigre this year. T. A. Tikalsky is president and W. J. Svoboda is secretary of the association which includes the following lodges: Page, Orchard, Plainview, Bloomfield, Creighton, Magnet, Niobrara and Verdigre.