

Nebraska

FRANKLIN CASE GOES BACK

Supreme Court Reverses Decision Denying County Seat Election.

MRS. SHEVALIER LOSES MONEY

Lancaster Woman Who Sought to Retain Cash from Horn Estate is Finally Beaten—Election Judge Wins Case.

(From a Staff Correspondent.) LINCOLN, Dec. 18.—(Special.)—The supreme court has reversed the decision of the district court in the Franklin county seat relocation.

Bloomington was the county seat and an election was held to relocate the same. The votes were divided as follows: Mason, 713; Franklin, 513; Bloomington, 650 and the balance of the votes scattered among four or five other towns.

A demand was made on the county board to call a special election, the claim being made that three-fifths of the votes cast had been in favor of places other than Bloomington, the board should call the special election.

The board refused and a mandamus suit was brought in district court to compel the county board to call the special election. The writ of mandamus was denied and the case was appealed to the supreme court. The supreme court reverses the lower court and remands the case back for further proceedings.

Mrs. Shevalier Loses Out.

The case of Alpha M. Shevalier against Elmer B. Shepherson, administrator of the Horn estate, in Lancaster county, has been affirmed. Mrs. Shevalier claimed that she had been left certain money and property in a will left by Mrs. Horn. The heirs, under another will, claimed that the plaintiff, Mrs. Shevalier, had taken several thousand dollars belonging to the estate and had her arrested on a charge of larceny. Several thousand dollars were found on her person and taken from her. Her attorney turned the money over to the heirs and a settlement was made. An action was then brought by Mrs. Shevalier in district court for a new hearing on the will and for recovery of the money taken from her. The district court found for the heirs and Mrs. Shevalier appealed to the supreme court, which affirms the decision.

Deeder Gets New Trial.

Charles Deeder, a judge of election in Hitchcock county, charged with fraud in that he miscounted votes cast for Ira E. Thomas for county clerk, gets a new trial. Deeder was found guilty in the district court of that county and sentenced to pay a fine of \$100 and serve a term of three months in the county jail. He appealed the case to the supreme court, which reverses the lower court and remands the case for a new trial.

AUDITOR WOULD SEPARATE INSURANCE DEPARTMENT

(From a Staff Correspondent.) LINCOLN, Neb., Dec. 18.—(Special Telegram.)—Auditor Barton in his report filed with the governor this afternoon, advises the separation of the insurance department from the auditor's office to make a distinct department serving the insurance commissioner every six years. He would abolish the fiscal agency in New York and keep the money at home; would require university professors who are paid large salaries to stay at home and earn their money instead of absenting themselves during the school year.

The auditor estimates the income of the state during the next two years to be \$5,315,186, and sets the general expense fund against the state at \$5,038,700, not including permanent improvements. The insurance department has collected \$266,062 in fees. The total premiums paid by the people of the state during the biennium aggregated \$13,823,456, and they received back in claims \$6,644,477. Bonds registered and approved amounted to \$4,716,136 in 377 issues. Interest on the permanent school fund was \$716,491.

BRIDGE BETWEEN BUFFALO AND KEARNEY TO BE REBUILT

KEARNEY, Neb., Dec. 18.—(Special.)—Work of repairing the Platte river bridge between Buffalo and Kearney counties south of Kearney began this morning. A contract entered into by the former county, which probably will have to seek recourse in the courts to secure the half supposed to be borne by the other county. Traffic, except hayracks and wide vehicles, will not be intercepted until December 23, the pile-driver in use being already on the bridge and obstructs half of the roadway. After that date the bridge will be closed to traffic daily from 9 a. m. until 5 p. m.

The Board of County Supervisors, under whose direction the work is being done, assembled yesterday and stated its intention of not dividing any more townships into more than one road district without the consent of the overseer elected for the coming year.

KEARNEY COUNCIL DRAWS NEW LIGHTING CONTRACT

KEARNEY, Neb., Dec. 18.—(Special.)—Today the ten-year contract entered into between the Kearney Water and Power company and the city expired. Overtures for a peaceful settlement of the light controversy are in progress with the manager of the light company and the city council is meeting in nightly sessions preparing a contract which will be submitted to the voters of the city for approval or rejection January 21, 1913.

By its terms, the number of lights and the amount of light will be increased and cover fourfold at an increase of only about \$1,000 over the annual price charged in the expiring contract. Other conditions of it are that the company will disclaim its suit against the city now pending in the federal court and that the city will abandon the \$60,000 bond issue voted last spring for the erection of a municipal lighting plant.

DISTRICT COURT IN JEFFERSON COUNTY

FAIRBURY, Neb., Dec. 18.—(Special.)—Judge L. M. Pemberton of Beatrice arrived in the city today and opened the district court. The first case to be tried is the one of the stepchildren of the late Wilhelm Heinemann, suing for services rendered during his life. Deceased was a well-to-do farmer living near Jansen and died in the fall of 1911. He made a will devising his property to the amount of \$10,000 to his nephews in Wisconsin. Prior

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Delzell Reports Aid Due Districts

(From a Staff Correspondent.) LINCOLN, Dec. 18.—(Special.)—State Superintendent Delzell, in compliance with the law which provides that the state superintendent shall on or before the last Monday in December of each school year certify to the state auditor the amount of state aid due the several counties of the state, has made the following statement of the counties entitled to share in the apportionment, with the amount due:

Table with columns: County, No. of Districts, Amt. Due. Lists counties like Banner, Boone, Box Butte, Brown, Chase, Cherry, Cheyenne, Custer, Dawes, Deuel, Dundas, Garden, Garfield, Hayes, Hitchcock, Holt, Hooker, Keith, Kearney, Logan, Loup, Morrill, Nemaha, Perkins, Rock, Saline, Scott's Bluff, Sioux, Sheridan, Thomas, Wheeler, and Totals.

New Bank for Humboldt.

HUMBOLDT, Neb., Dec. 18.—(Special.)—Colonel M. W. Harding, I. J. Segrist and other local parties are making arrangements to engage in the banking business here, and work will commence next week in transforming the southwest corner of the Alama building into a bank. It will be a strictly home institution. The parties interested expect to open up for business by the coming March.

Co-operators Favor Development Plan

The Nebraska Farmers' Co-Operative Grain and Live Stock State Association yesterday afternoon endorsed the plan to procure passage of a bill by the next legislature establishing a Nebraska development and public welfare commission with adequate funds for research and publicity work.

The endorsement followed a speech by C. C. Rosewater in which he explained the plan as it recently was outlined at a joint meeting of the State Editorial Association and state commercial clubs at Grand Island.

The bill provides that five men be appointed members of the commission with power to increase their own number to nine. Mr. Rosewater explained. The commission will have a direct association with the state university agricultural department and will promote the agricultural interests of the state and see that the work is given proper publicity. In this way, Mr. Rosewater said, the state's resources will be advertised throughout the nation and the world and the commission will have the effect of a publicity bureau which was once refused by the state legislature on the grounds that Nebraska had little to advertise.

WATCHES—FRENZER—18th & Dodge.

TEACHER HURT DURING FIGHT AMONG STUDENTS

EFFINGHAM, Kan., Dec. 18.—Following a debate here last night between the county high school of Effingham and the Atchison school, Prof. J. P. Shepard of the Atchison school was severely wounded in a fight among students at the train as the Atchison students were preparing to leave. Stones were thrown through the car windows. Prof. Shepard while trying to restore order was struck on the head and stunned. Students who broke into the train were beaten badly. The superintendent of the Effingham school said the fight was started by outsiders.

JEFFERSON ASSESSOR CASE WILL NOT BE APPEALED

FAIRBURY, Neb., Dec. 18.—(Special.)—After a prolonged contest over the office of assessor in this county, the matter has been settled and the office goes to O. H. Jones, the republican-progressive candidate. Since the recounting of the ballots, former Adjutant General Hartigan, attorney for Bartel, took the case under advisement and Tuesday it was decided to drop the matter and not carry it to a higher court. Mr. Jones agreed to stand the expense of the trial, provided he got the office.

HAWK'S CUT GLASS—FRENZER.

Advertisement for Perfection Smokeless Oil Heater. Includes an illustration of the heater and text: 'Keep Your Fruit and Vegetables from Freezing. Many dollars worth of overwinter produce is sometimes ruined in a single night of extreme cold weather. This loss and inconvenience can be easily avoided if you have a Perfection Smokeless Oil Heater. For best results use Perfection Oil. Can be lighted and placed in your vegetable cellar at a minute's notice. In less extreme weather, it will prove a wonderful convenience in the living-room, dining-room or bathroom. Easily moved from place to place. Ornamental. Inexpensive. Economical. At Dealers Everywhere. STANDARD OIL COMPANY (Nebraska) Omaha'

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TREASURER GEORGE REPORTS

Head of State Fiscal Department Makes Showing of Work.

ADVISES SALE OF SCHOOL LANDS

Aldrich Plans to Print His Message Before Submitting It to Legislature to Avoid Delay that Has Resulted Heretofore.

(From a Staff Correspondent.) LINCOLN, Dec. 18.—(Special.)—During the biennium, according to the report of State Treasurer George, \$1,017,000 worth of reinvestment bonds have been sold, which have brought premiums of \$414.98. On account of reinvestment of these bonds the state has been benefited in the amount of \$340.

Including the above, there has been purchased a total of \$2,347,048.86, all issued within the state. There is now held to the credit of the educational funds the following amounts: Permanent school, \$8,384,874.76; Permanent university, 145,600.00; Agricultural college endowment, 511,600.00; Normal school endowment, 24,000.00.

Total, \$9,066,174.76. Another matter to which Treasurer George calls the attention of the legislature is the habit of county treasurers at certain times in the year holding their reports to the state and neglecting to remit to the state treasurer the amounts due the state. To this is due the fact that the state is unable to meet general fund warrants and the treasurer asks that some provision be made in the law to compel county treasurers to remit to the state on the tenth day of each month all moneys accumulated during the last month. With this money on hand the state would doubtless be able to meet every warrant on the general fund.

Sale of School Lands.

The treasurer goes more fully into the matter of the sale of the state school lands mentioned in the report a few days ago and gives figures to show that the sale of the land would be a good investment for the state. He says: "There are 1,714,000 acres which donate to the school fund \$36,310 for the biennium, which amounts to 4 1/2 per cent on a \$218 land valuation. If the lands were sold at \$7 per acre it would bring in a fund of \$11,998,000. On a 4 1/2 per cent interest basis this would bring the state \$1,000,000 in two years. This is three times as much as the state receives now under the present system of lease. Another advantage which the treasurer says should not be forgotten is the fact that these lands sold will be subject to taxation and thus the state will derive a benefit from that source.

Aldrich Prints His Message.

Governor Aldrich will have his message printed in pamphlet form and procure passage of a bill by the legislature, when the session begins. In this way he believes much time will be saved as formerly the legislature has had to wait until after the message was printed before they could get it into their hands. The governor believes that in this way the legislature will be able to get right down to business and do something along the line of the recommendations made before the twenty days limit for introducing bills has passed.

Beckman Files Bond.

The bond of Fred Beckmann, elected land commissioner at the last election, was filed with the secretary of state this morning. The bond is for \$10,000. The bond of Deputy Secretary of State George W. Marsh, was filed with the governor yesterday. This bond is for \$5,000.

Want Printing Secretaryship.

Horace M. Davis of Ord, W. P. Hogard and Jacob North of Lincoln, are anxious to serve the state in the capacity of secretary of the printing board, subject to the approval of Governor John Morehead. L. E. Petwitch would like to be deputy food inspector, subject to the conditions.

Advertisement for N. Mantel Co. 1808 Farnam. Features 'ROMEO GARCIA Clear Havana Cigars' and 'JULIA MARLOWE Pure Havana Cigars'. Includes images of ash trays and cigar jars. Text: 'We specialize in selling cigars by the box, and have a store conducted and located so that women may shop here without embarrassment.' 'CIGARS That Dream of Delight 5 Cent Cigar ABOVE THE ORDINARY'. 'CUESTA REY Clear Havana Cigar For Discriminating Smokers. We Have Them in Stock From 5c to 50c'.

Advertisement for 'The Fair' store. 'ESTABLISHED 1892'. 'Friday Dec. 20 at 8 a. m.' '\$57,000 Sample and Bankrupt Stock of Merchandise, Bought by our New York City Buyer, goes on sale Friday, December 20, at 8 a. m. at prices less than cost of manufacture'. Lists various clothing items and their sale prices. 'ESTABLISHED 1892 The Fair 1121-1123 FARNAM ST. OMAHA, NEB.' 'Remember this entire stock goes on sale Friday, Dec. 20th, at 8 a. m. come early and take best choice.'